

Table of Contents

<u>Article I –</u>	<u>General Provisions</u>	<u>2</u>
<u>Article II –</u>	<u>Procedures & Administration</u>	<u>8</u>
<u>Article III –</u>	<u>Review Procedures</u>	<u>11</u>
<u>Article IV –</u>	<u>Non-Conformities</u>	<u>25</u>
<u>Article V –</u>	<u>Zoning Districts</u>	<u>31</u>
<u>Article VI –</u>	<u>Special Districts</u>	<u>52</u>
<u>Article VII –</u>	<u>Use Standards</u>	<u>78</u>
<u>Article VIII –</u>	<u>Development Standards</u>	<u>114</u>
<u>Article IX –</u>	<u>Subdivision Regulations</u>	<u>165</u>
<u>Article X –</u>	<u>Sign Regulations</u>	<u>209</u>
<u>Article XI –</u>	<u>Definitions</u>	<u>225</u>

Article I – General Provisions

1. Title

- 1.1. An Ordinance adopting City of Claremore Unified Development Code Ordinance, December 6, 2021, which Ordinance amends the City of Claremore, Rogers County Metropolitan Area Zoning Ordinance originally adopted on August 7, 2000, effective September 6, 2000, the last revision thereof being Revised Ordinance 2007-03, effective February 5, 2007.

Section 1: The City Council hereby adopts the City of Claremore –Unified Development Ordinance, December 6, 2021 Revision, compiled and prepared by Kimley-Horn & Associates.

Section 2: Such Zoning Ordinance amends and supersedes that City of Claremore – Rogers County Metropolitan Area Zoning Ordinance originally adopted August 7, 2000, effective September 6, 2000, and the last published revision thereof being Revised Ordinance 2007-03, effective February 5, 2007.

2. Effective Date

- 2.1. This ordinance shall be effective on December 6, 2021.

3. Authority

- 3.1. These regulations and minimum standards for land development are adopted by resolution of the planning commission and ratified by ordinance of the city in accordance with the provisions in 11 O.S. §§ 45-101—45-106.

4. Applicability and Jurisdiction

4.1. Application

- a. These Regulations divide the City of Claremore into Zoning Districts and establish regulations which restrict the height, number of stories, and size of buildings and other structures; the size of yards, courts and other open spaces; the density of population and the location and use of buildings, structures and land for trade, industry, residence and other purposes.
- b. These Regulations shall not be interpreted as a means to prevent the application of or adherence to other appropriate codes of the City.

4.2. Exemptions

- a. These Regulations shall not apply in the unincorporated parts of Rogers County to transportation, communication, and utility facilities which utilize public rights-of-way or easements customarily provided in subdivision plats, or the following uses, exempt under the provisions of 19 O.S. Section 866.16 and 866.30:
 - i. Erection and use of the usual farm building for agricultural purposes;
 - ii. Planting of agricultural crops;
 - iii. Extraction of oil and gas; and
 - iv. Acquisition of property or easements for the installation, construction, maintenance, or use of structures, facilities, and property of electric cooperatives or public utilities subject to the jurisdiction of the Corporation

Commission of the State of Oklahoma, or other similar State or Federal body.

- b. These Regulations shall not apply to the following uses in the incorporated parts of the City of Claremore, which shall be exempt under the provisions of 11 O.S. Sections 43-102 and 43-108:
 - v. Telephone exchange buildings; and
 - vi. Property of any railway company or terminal company.

4.3. Territorial Jurisdiction

These Regulations shall be in full force and effect in the corporate limits of the City of Claremore, Oklahoma.

4.4. Annexed Territory

1. All territory that is de-annexed by the City of Claremore after the effective date of these Regulations, if it has prior thereto been zoned by the City, shall thereupon be placed in the same or most nearly corresponding Zoning District classification under these Regulations until otherwise classified.
2. All territory that is de-annexed by the City of Claremore after the effective date of these Regulations, if it has not prior thereto been zoned by the City, shall be an AR Agriculture Residential District, unless otherwise classified by the Board of County Commissioners at the time of de-annexation.
3. All territory that is annexed by the City of Claremore after the effective date of these Regulations, if it has prior thereto been zone by the County, shall thereupon be placed in the same or most nearly corresponding Zoning District classification under these Regulations until otherwise classified by amendment of these Regulations.
4. All territory that is annexed by the City of Claremore after the effective date of these Regulations, if it has not prior thereto been zoned by the County, shall be an AR Agriculture Residential District unless otherwise classified at the time of annexation by the City Council.
5. In the event there is an area within the incorporated area of the City of Claremore on the Zoning Map for which the Zoning District classification is not shown, the area in question shall be classified by the City Council upon recommendation and review by the City of Claremore Planning Commission.
6. In the event there is an area within the unincorporated area of Rogers County under the jurisdiction of the Planning Commission for which the Zoning District classification is not shown, the area in question shall be classified by the Rogers County Board of Commissioners upon their recommendation and review by the City of Claremore Planning Commission.
7. In the event there is an area that is annexed or otherwise included under the jurisdiction of the City of Claremore Planning Commission in the unincorporated area, the Board of County Commissioners shall establish the Zoning District classification for such case after review and recommendation by the Planning Commission.
8. In the event there is an area that is annexed or otherwise included under the jurisdiction of the City of Claremore Planning Commission in the incorporated area, the City Council shall establish the Zoning District classification for such case after review and recommendation by the Planning Commission.

5. Purpose and Intent

- 5.1. These Regulations contained herein are necessary and are established for the purposes of promoting the health, safety, convenience, morals, prosperity, order, and general welfare of the community.
- 5.2. To provide for adequate and convenient open spaces for transportation, vehicular parking, utilities, access for emergency vehicles, recreation, and light and air for the avoidance of congestion of population. Additionally, these requirements seek to secure adequate police protection, schools, and other necessary public facilities.

6. Relationship to the Comprehensive Plan

- 6.1. The application of these Regulations seeks to encourage the development of the community in accordance with the Comprehensive Plan.

7. Transitional Provisions

7.1. Continuity of Provisions

1. This section is intended to clarify the status of properties with pending applications, recent approvals, or outstanding violations, as those terms are used below, at the time of the adoption of this ordinance.
2. Violations Continue: Any violation of the previous zoning and subdivision regulations will continue to be a violation under this ordinance and be subject to penalties and enforcement under Article III: Review Procedures, unless the use, development, construction, or other activity complies with the provisions of this ordinance. The enactment of this ordinance shall not abate any pending prosecution and/or lawsuit or prevent any prosecution and/or lawsuit from being commenced for any violation of a previously existing ordinance occurring before the effective date of this ordinance.
3. Legal Nonconformities under Prior Regulations: Any legal nonconformity under the previous zoning and subdivision regulations will also be a legal nonconformity under this Ordinance, if the situation that resulted in the nonconforming status under the previous Ordinance continues to exist. If a nonconformity under the previous zoning and subdivision regulations becomes conforming because of the adoption of this Ordinance, then the situation will no longer be a nonconformity.

4. Uses, Lots, Structures, and Sites Rendered Nonconforming

- a. When a lot is used for a purpose that was a lawful use before the effective date of this Ordinance and this Ordinance no longer classifies such use as either a permitted use or conditional use in the zoning district in which it is located, such use shall be considered nonconforming and shall be controlled under the provisions of [Article IV: Nonconformities](#).
- b. Where any building, structure, lot, or development site that legally existed on the effective date of this ordinance does not meet all standards set forth in this ordinance, such building, structure, lot, or site shall be considered nonconforming and shall be controlled under the provisions of [Article IV: Nonconformities](#).

5. Pending Applications

- a. Any complete application subject to Title 11 Oklahoma Statutes that has been submitted for approval, but upon which no final action has been taken by the

appropriate decision-making body prior to the effective date of this ordinance, shall be reviewed in accordance with the regulations in effect on the date the application was deemed complete unless the applicant requests otherwise pursuant to paragraph (b) below. If the applicant fails to comply with any applicable timeframe for re-submittal or other procedural requirements, the application shall expire, and subsequent applications shall be subject to the requirements of this ordinance. If no procedural re-submittal or application period is specifically set forth in the relevant provision, any application that requires action from the applicant shall be deemed expired if the applicant has failed to act in writing with a revised application or an extension request within 10 days of the date the action was required.

- b. An applicant with a complete application subject to Oklahoma State Statutes that has been submitted for approval, but upon which no final action has been taken prior to the effective date of this ordinance, may request review under this ordinance.

6. Approved Applications

- a. Preliminary Plat Approvals: An application for which approval of a preliminary subdivision plat was granted prior to the adoption date of this Ordinance shall be considered as having received preliminary plat approval under the ordinance in effect on the date the application was approved unless the applicant requests approval under this ordinance. Preliminary approvals granted under the previous regulations shall be valid for one year from the date of approval. Failure to obtain a final plat approval within the time allotted shall result in the expiration of the preliminary plat and shall cause the submission of another preliminary plat that complies with the requirements of this ordinance. In the instance of large tracts or blocks of land contained within a recorded subdivision and intended or designed for further subdivision into tracts, lots, or building sites, the further subdivision shall comply with all provisions of this ordinance unless the further subdivision complies with the originally approved preliminary plat.
- b. Final Plat Approvals: Final plats which require construction of public improvements shall be deemed to have expired if construction of the public improvements has not been accepted by the city within two years of the approved date.
- c. Any use permits, site plans, building permits, variances, and Planned Development Districts that are valid on the effective date of this ordinance shall remain valid until their expiration date (if any). Projects with valid approvals or permits shall be completed pursuant to the development standards in effect at the time of approval or in the case of Planned Developments, pursuant to the standards in the Planned Development District ordinance at the time it was approved. If the approval or permit expires, future development shall comply with the requirements of this ordinance.

7. Conversion to New Zoning Districts:

- a. Upon the effective date of this ordinance, land that is zoned with a zoning district classification from the previous zoning regulations shall be re-classified or converted to one of the new zoning district classifications set forth in this ordinance. [Table 1.7-1 Zoning District Conversions](#) summarizes the conversion or re-classification of the

zoning districts in the previous zoning regulations to the new zoning districts pursuant to this ordinance.

Table 1.7-1: Zoning District Conversions

Old Zoning Categories	New Zoning District Classifications	Land Use Designation
Residential Districts		
A Agricultural	A Agricultural	Rural
RS Residential Single-Family		
RE Residential Single-Family Estate	RE Residential Estate District (20,000 sq.ft. Min lot size)	Estate Residential
RS-1	R-SF 10 (10,000 sq.ft. Min.)	Suburban Residential
RS-2	R-SF 5 (5,000 sq.ft. Min.)	General Residential
RS-3		
RD Residential Duplex District		General Residential
RT Residential Town House District	R-SFM (Mixed-Residential)	Urban Downtown Core Downtown Area Mixed Use Corridor Mixed Use
RM Residential Multi-Family District		
RM-0		Suburban Multi-Family Residential
RM-1	MF-1 (12 DU/Acre max. Density)	
RM-2		General Multi-Family Residential
RM-3	MF-2 (20 DU/Acre max. Density)	
RMH Residential Manufactured Home	RMH Residential Manufactured	Suburban Residential
Non-Residential Districts		
Office Districts		
OL Office Low Intensity District		Suburban Commercial
OM Office Medium Intensity District	O Office District	General Commercial
OH Office High Intensity District	EC Employment Campus District (Combined with SR District)	General Commercial
Commercial Districts		
CS Shopping Center District	NC Neighborhood Commercial District	General Commercial
CG General Commercial District		Corridor Mixed Use
CH Commercial High Intensity District	RC Regional Commercial District	Suburban Commercial
CBD Central Business District		Urban Downtown Core
RCM Residential Commercial District	Downtown District (Special District)	
SR Scientific Research & Development	(Combined with EC Employment)	Industrial – Light
IL Industrial Light District	LI Light Industrial and Manufacturing District	Industrial – Light
IM Industrial Moderate District		
IH Industrial Heavy District	HI Heavy Industrial and Manufacturing District	Industrial
M Mining District		
Parking District	Removed	Removed
Special Districts		

Planned Unit Development	PUD Planned Unit Development	Special Use
New District	TND Traditional Neighborhood Development	Downtown Area Mixed Use Neighborhood Conservation
New District	CSD Conservation Subdivision Development	Rural Parks and Recreation
Comprehensive Plan District	DD Downtown/Route 66 District	Special District
Comprehensive Plan District	OT Old Town District	Special District
Comprehensive Plan District	WR Will Rogers Corridor District	Special District
Comprehensive Plan District	WB West Bend / University District	Special District

8. Zoning Map Interpretations:

- a. Questions or disputes regarding zoning designations on the City of Claremore Zoning Map resulting from adoption of this new ordinance shall be submitted in writing along with the applicable fee to the Administrator for written interpretation.

8. Minimum Requirements

- 8.1. In interpreting and applying the provisions of the UDC, they are the minimum requirements for development under this Code.

9. Conflicting Provisions

- 9.1. Where these Regulations impose greater restrictions upon the use of structures or land or upon height or bulk of structures or require larger open spaces or yards than are imposed by other ordinances, laws, or regulations, the provisions of these Regulations shall govern.
- 9.2. The provisions of these Regulations providing for the residential use of property, and providing for limitations on occupancy, density, and intensity of such uses, shall be applied equally and without discrimination based on race, age, color, religion, sex, handicap, familial status or national origin consistent with the provisions of the Federal Fair Housing Act.
- 9.3. All regulations, ordinances, orders, resolutions, or parts thereof in conflict with these Zoning Regulations are hereby repealed.

10. Severability

- 10.1. In case any portion of these Regulations shall be invalid or unconstitutional, as declared by a court of competent jurisdiction, the remainder of these Regulations shall not thereby be invalid but shall remain in full force and effect.

Article II – Procedures and Administration

1. Purpose & Organization

1.1. This article describes the organization and roles of review bodies under this Ordinance.

2. City Council

2.1. Powers and Duties

In addition to any authority granted to the City Council by State law, City Charter, or other city ordinances, the City Council of the City of Claremore may:

1. Adopt, make modifications to, and implement the comprehensive plan and supporting studies.
2. Amend, supplement, or change the regulations established in this Ordinance.
3. Amend, supplement, or change the zoning district boundaries.
4. Amend, supplement, or change the historic designation or historic district boundaries.
5. Establish fees for processing development applications, zoning verification letters, zoning maps, or other applications required by this Ordinance.
6. Grant, deny, or impose conditions for a Specific Use Permit consistent with the purposes stated in [Article III: Review Procedures](#).
7. Take final action on certain plats as set forth in [Article III: Review Procedures](#) of this Code.
8. Appoint and remove members of the Planning Commission, Board of Adjustment, Historic Landmarks Commission, Parks and Recreation Board, and any other Board or Commission of the city.

3. Planning Commission

3.1. Powers and Duties

The Planning Commission shall have all powers, discretion, and duties established by the 11 O.S. §§ 45-101 et seq. The Planning Commission shall have the powers and duties set forth in Section 3.1, Summary of Review Procedures, to be carried out in accordance with the terms of this Ordinance. In addition, the Planning Commission shall have the following responsibilities, also to be carried out in accordance with the terms of this Ordinance:

1. Provide analysis and recommendations as requested by the City Council regarding the Comprehensive Plan and other plans related to land use, thoroughfares, infrastructure, open space and recreation and related long-range growth policy per City Council's direction; and amendments to this Ordinance and to the zoning map.
2. Provide guidance as requested by the City Council in accomplishing coordinated, adjusted, and harmonious development of the City of Claremore and its environs that will, in accordance with the present and future needs, best promote health, safety, order, convenience, and general welfare, as well as efficiency and economy in the process of development.
3. At the request of City Council, the ability to conduct studies, analysis, and public hearings regarding amendments to relevant sections of this Ordinance; the zoning map; the zoning districts; the City of Claremore's Comprehensive Plan; any other applicable plans; or

portion thereof for the purpose of recommending revision or adoption by the City Council as required or permitted by Oklahoma State Statutes.

4. In carrying out its duties the Planning Commission considerations may include, but are not limited to surveys of present conditions; projections of future growth of the City of Claremore; Site Plans of individual projects; the relationship of developments to the surrounding environment and the community; adequate provision for vehicular and pedestrian circulation; the promotion of safety from fire, floodwaters and other dangers; adequate provision for light, air and solar access; the promotion of healthful distribution of population; the promotion of good civic design and arrangement; wise and efficient expenditure of public funds; the promotion of energy conservation; the protection of environmentally sensitive areas; the adequate provision of public utilities, open space and other public requirements; provisions of this Ordinance; and input from the staff, the applicant, and the general public.

4. Board of Adjustment

4.1. Powers and Duties

The Board of Adjustment (BOA) shall be governed by the provisions of 11 O.S. §44-101 et seq., and this Ordinance.

4.2. Organization and Membership

1. There is hereby established in the City of Claremore, a City Board of Adjustment with the powers and duties hereinafter set forth. Such Board shall be composed of five (5) members. The Mayor shall appoint the members of the Board for a term of three (3) years, subject to confirmation by the City Council, provided, however, that when the first appointment is made hereunder, the term of office of two (2) said members shall be two (2) years, and the term of office of one (1) said member may also be a member of the Planning Commission. All members of the Board shall serve without compensation.
2. Any member of either Board, once qualified, shall thereafter be removed only for cause and after hearing held before the respective governing body. As to the City of Claremore Board of Adjustment, cause shall include but is not limited to inefficiency, neglect of duty, malfeasance in office and the absence from three (3) consecutive regularly scheduled meetings. In the event of the death, resignation, or removal of any such member before the expiration of said term, a successor shall be appointed in the manner described above for the unexpired portion of this term.
3. The City Board of Adjustment shall organize and elect its own Chairperson, appoint a Secretary, and shall adopt rules of procedures consistent with this Ordinance and pertinent statutes. Meetings of the Board shall be held at the call of the Chairperson and at such other times as the Board of Adjustment may determine. The Chairperson, or in the absence of the Chairperson, the Acting Chairperson, may administer oaths and compel the attendance of witnesses. All meeting of the Board shall be open to the public. The Board shall keep minutes of their proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of Adjustment for the City of Claremore, as applicable, and shall be a public record. The concurring vote of three (3) members of the City Board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or

to decide in favor of the applicant on any matter upon which it is required to pass under any such Ordinance, or to affect any variation in such Ordinance.

4. Any member of the Board who shall have an interest in any property or in the decision relating to such property, which shall be the subject matter of, or affected by a decision of the Board, shall be disqualified from participating in the discussion, decision or proceeding of the Board in connection therewith.
5. The term "Board" as used in this UDC, will refer to the City of Claremore Board of Adjustment as to those matters as to which that board has the necessary statutory authority to act.

5. Administrator

5.1. Power and Duties

The City Manager shall appoint a city staff person to serve as the Administrator who is responsible for administering this Ordinance. The Administrator or his designee:

1. Shall maintain and have the duty of care, custody, and control of the records of the Planning Commission and the BOA.
2. Shall attend meetings and make recommendations on all matters pertaining to planning, zoning, historic preservation, and land development.
3. May approve minor modifications to development standards and to minor changes to approved plans or PD Development Plans where indicated in Section 3.3, [Specific Review Procedures](#).
4. Shall determine whether an application substantially complies with this Ordinance or conditions of approval, where authorized by Section 3.2, [Common Review Procedures](#) and Section 3.3, [Specific Review Procedures](#).
5. Shall interpret this Ordinance and the Official Zoning Map, unless the authority to interpret a particular provision of this Ordinance is assigned to another agency. All interpretations by the Administrator are subject to appeal to the BOA.
6. May approve certain categories of subdivision plats where provided in [Table 3.1.1](#), Major Application Reviews.
7. May assign his/her duties to staff within his/her department or other departments. Any reference to the Administrator in this Ordinance includes any designee of the Administrator.

6. Historic Preservation Commission and Officer – RESERVED FOR FUTURE USE

Article III – Review Procedures

1. Summary of Review Procedures

1.1. The following table [Table 3.1](#) summarizes the major procedures for review of applications for land use and development activity. Not all procedures addressed in this chapter are summarized in this table; see the subsequent sections of this chapter for additional details on each procedure.



FIGURE 1

Table 3.1 – Major Application Reviews

Application Types	Pre meeting	Administrator	Technical Advisory Committee	Planning Commission	Board of Adjustment	City Council	Reference
Policy Related Actions							
Amendment to UDC Text	O	R		X		X	
Zone Change	O	R		X		X	
Specific Use	O	R			X	X	
Concept Plan	O	R	X				
Development Applications and Permits							
Development Plan	O	R					
Concept Plat	O	R					
Flexibility and Relief Procedures							
Variance	O	R			X		
Special Exception	O	R			X		
Appeal	O	R			X		
Subdivision							
Preliminary Plat	O	R	Minor	Major			
Final Plat	X	R		X		X	

Lot Split Deed	O	R		X			
Plat Vacation	O	R		X			

O	Optional
R	Review
X	Decision

2. Common Review Procedures

2.1. Applicability

This section describes the procedural elements common to all applications (see Figure 1). Additional procedures that apply to specific applications are provided in Section 3.3, [Specific Review Procedures](#). Generally, the procedures for all applications have eight common elements:

1. Pre-development meeting (as required or optional in [Table 3.1](#))
2. Submitting all information required for a complete application, including required fee payments
3. Determination of completeness
4. Review of the application by appropriate staff, agencies, and boards
5. Notice
6. Action to approve, approve with conditions, or deny the application
7. Appeals, if any
8. Actions authorized by the permit and the time period for exercising rights under the order or permit

2.2. Compliance with State and Federal Law

1. All procedures and requirements for approvals under this UDC shall comply with the Oklahoma State Statutes and other applicable state or federal laws, rules, or regulations. If these requirements conflict with the Oklahoma State Statutes, the Oklahoma State Statutes requirements control.

2.3. Pre-Development Meeting

1. The purpose of the pre-development meeting is to provide an opportunity for an informal evaluation of an applicant's proposal and for the applicant to become familiar with the City of Claremore's submittal requirements, development standards, and approval criteria. The Administrator or designee may provide recommendations and/or inform the applicant of any potential issues that might be presented to the applicable decision-making body. This provides an opportunity to address any major issues before the applicant and the city spend substantial time and expense on the application.

2. A pre-development meeting is required prior to certain types of applications, as listed in [Table 3.1](#) and Section 3.3, [Specific Review Procedures](#). Applications for these types of approvals shall not be accepted until a pre-development meeting is completed.
3. City staff shall coordinate with the applicant and facilitate the meeting, including scheduling the time and location of the meeting. At the meeting, city staff may:
 - a. Determine the required application(s) and the timing of multiple application submittals (i.e., whether they may be processed concurrently or must be processed sequentially)
 - b. Provide the applicant with application materials and inform the applicant of submittal requirements and procedures
 - c. Provide the applicant with an estimated time frame for the review process
 - d. Based on a conceptual plan of the proposal (if required), generally discuss compliance with the ordinance's zoning, use, density, and design and development standards, and attempt to identify any potentially significant issues regarding compliance
 - e. Refer the applicant to other departments or agencies to discuss any potential significant issues prior to application submittal
 - f. Consider or answer questions by the applicant relating to the application process, the standards established in this Ordinance, required documents, fees, and any other inquiries relating to the application
4. Applicants are advised that the meeting should take place prior to any substantial investment in time or resources, such as a land acquisition for a proposed development, site and engineering design, or the preparation of other data.
5. The informal evaluation and recommendations provided by the staff during a pre-development meeting shall not be considered binding upon the applicant or the city.

2.4. Application Submittal and Completeness Determination

1. This section applies to any application that is subject to this Ordinance.
2. The applicant shall submit to the Administrator all the information required in the application packet, along with any information identified in any pre-development meeting and all required information stated elsewhere in this Ordinance for the type of application.
 - a. No application is complete unless all the information required by Section 3.3, [Specific Review Procedures](#), and any application materials required by the Administrator are included, and all required application fees are paid. An application is not considered filed until it is complete. The Administrator may allow the applicant to submit any required information later in the review process to complete final action on the application.
 - b. The applicant shall file an application in advance of any required public hearing or public meeting where the application is considered. The Administrator may establish a schedule for filing and reviewing any application that requires action by the City Council, Planning Commission, Historic Landmarks Commission (HLC), Board of Adjustment (BOA), or Administrator. The schedule shall provide adequate time for review, notice and/or publication consistent with the applicable Statutes and this

Ordinance. Completed applications shall be filed according to any published schedule.

2.5. Completeness Determination

1. The Administrator shall make a determination of application completeness within ten (10) business days of application filing. If the application is determined to be complete, the application shall then be processed according to the procedures set forth in this Ordinance.
2. An application will be considered complete if it is submitted in the required form, includes all mandatory information and supporting materials specified in the application packet, this Ordinance, by the Administrator, and is accompanied by the applicable fee.
3. If the application is determined to be incomplete, the Administrator shall provide notice to the applicant that includes an explanation of the application deficiencies. No further processing of an incomplete application shall occur until the deficiencies are corrected in a new application.
4. If any false or misleading information is submitted or supplied by an applicant on an application, that application will be deemed void and a new application must be submitted together with payment of applicable development review fees.
5. Whenever this Ordinance establishes a time period for processing an application, the time period does not begin until the Administrator has reviewed the application for completeness and, if necessary, the applicant has corrected all deficiencies in the application.

2.6. Application Review

1. Following a determination that an application is complete; the Administrator shall circulate the application to staff and appropriate city departments and other entities for review.
2. In addition to the reviews summarized in [Table 3.1.1](#), the Administrator may also refer applications to other boards, commissions, government agencies, and non-governmental agencies not referenced in this Article.
3. The Administrator may request a meeting with the applicant to discuss the application and any written comments. Based on the written comments, the applicant shall have an opportunity to revise the application prior to further processing. Additional submittals and reviews may be subject to additional fees as determined by the Administrator.
4. If a public hearing is required for an application, the Administrator shall prepare a staff report once written comments have been adequately addressed according to the Administrator. The staff report shall be made available to the applicant and to the public prior to the scheduled public hearing on the application. The staff report shall indicate whether, in the opinion of the Administrator, the application complies with all applicable standards of this Ordinance.

2.7. Public Notice

1. Based on and as required by [Table 3.2](#), applications before the City Council and Planning Commission, shall be preceded by the following public notices:

- a. Written Notice: The Administration shall send written notice by US mail to the applicant and to all property owners within 300 feet (measured from property boundaries) of the subject property in the most recently approved tax roll of the city.
- b. Published Notice: When published notice is required, the Administrator shall prepare the content of the notice and publish the notice in an official newspaper or a newspaper of general circulation in the city. The content and form of the published notice shall be consistent with Oklahoma State Statutes.
- c. Re-Notice: When notice is required, applicants will be required to re-notice after a postponement.

Table 3.2 – Public Notice Requirements		
Application	Published	Written
Zoning Map Change	20 days	20 days
Zoning Text Amendment	20 days	20 days
Variance	10 days	10 days
Special Exception	10 days	10 days

2. Notices, whether by publication or mail (written notice) for Planning Commission zoning changes shall contain, at minimum:
 - a. The time, date, and place of the hearing
 - b. The address or description of the property involved (if any)
 - c. The purpose of the hearing, including the nature and scope of the proposed action
 - d. The name of the board or commission to hold the hearing
 - e. Where additional information on the matter may be obtained

2.8. Public Hearing and Approval Procedures

This section identifies public hearing and approval procedures for applications that are subject to this Ordinance. Additional procedures and criteria for specific types of applications are located in Section 3.3, [Specific Review Procedures](#). All approval procedures shall comply with the Oklahoma State Statutes and this Ordinance. If these requirements conflict with the Oklahoma State Statutes, then the State Statutes control.

1. Public Hearings:
 - a. Staff Report: The Administrator shall submit a written report to the recommending or decision-making authority. The Administrator's report shall include the reports and recommendations of other city departments, as applicable.
 - b. Testimony: Any person may appear at a public hearing and give testimony or submit written materials, either individually or as a representative of an organization.

- c. Postponement: An applicant may request, but is not entitled to receive, a postponement of the scheduled public hearing. If any publication or notice is provided by the city, the applicant is responsible for any costs or fees associated with the postponement.
- d. Continuance: The decision-making body may continue a hearing to a specified date, time, and place. Such a date shall be made part of the motion and publicly announced at the public hearing. The Administrator shall ensure that notice of the continuance is posted at least 72 hours before the continued public hearing date in the same manner as originally posted. Publication or property owner notification of the continued date is not required, unless required by state law or recommended by the decision-making body or the Administrator.
- e. Tabling a Decision: A decision-making body may close a public hearing and table the decision. The decision to table shall appear on each subsequent agenda unless the decision is deferred to a specific date.
- f. Discussion and Decision: After consideration of the application, the staff report, and the evidence from the public hearing (as applicable), the decision-making body shall approve, approve with conditions, or deny the application based on the applicable approval criteria.

2. Approval Criteria

- a. All applications shall comply with all applicable standards in this Ordinance and other adopted city ordinances, all, as amended and conform to design requirements and construction standards as set forth in the most current version of the city's Infrastructure Design Standards.
- b. The proposed provision and configuration of public improvements shall be adequate to serve the development and conform to the city's adopted master plans.
- c. All applications shall comply with any applicable federal or State relevant jurisdictions' regulations. This includes, but is not limited to, Department of Transportation (DOT), US Army Corps of Engineers, wetlands, water quality, erosion control, and wastewater regulations.
- d. All applications shall comply with any adopted or approved interlocal agreements with Rogers County or other affected public entities and public improvement district agreements.
- e. The City Council may impose conditions reasonably calculated to achieve or maintain compliance with all applicable criteria.
- f. The City Council may incorporate or require, as part of a condition of approval, a written agreement between the applicant and the city that enforces the conditions.
- g. The application shall also be generally consistent with the Comprehensive Plan and any adopted policy document.

2.9. Withdrawal and Reapplication

1. Generally

- a. An applicant may withdraw an application, without prejudice, at any time, before it is placed on the agenda of a public hearing or meeting. Once an item has been placed on any agenda it may be withdrawn only upon approval of the board or City Council.
- b. The applicant shall submit a written withdrawal request to the Administrator.
- c. After it is withdrawn, the city shall not take further action on the application.
- d. To re-initiate review, the applicant shall submit a new application and fee.

2. Reapplication
 - a. When an application submitted pursuant to this Ordinance is denied, no new application for the same or substantially the same request, as determined by the Administrator, shall be submitted or accepted within one year of the date of the denial unless:
 - i. The Administrator determines that the resubmitted application corrects any deficiencies identified in the original application
 - ii. Resubmittal of the application complies with applicable Oklahoma law

2.10. Modifications

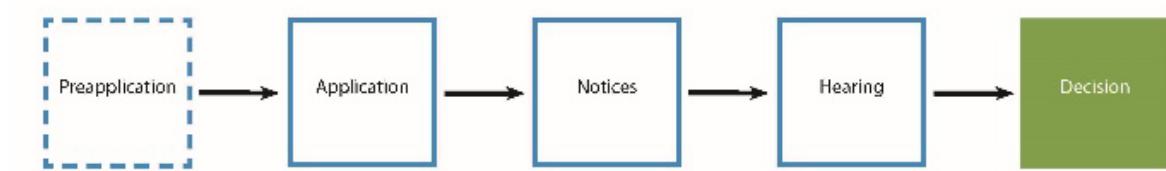
1. Unless otherwise provided in this Ordinance for a particular type of application, any modifications of approved plans, permits, or conditions of approval shall require a new application that is submitted and reviewed in accordance with the full procedure and fee requirements applicable to the particular type of the original application.

2.11. Expirations

1. Where applicable, the lapse of approval time frames established by this Ordinance, due to inactivity on the project, may, but is not required to be extended no more than twice in one-year increments by the Administrator only when all of the following conditions exist:
 - a. An extension request shall be filed prior to the applicable lapse-of-approval deadline.
 - b. The extension request must be in writing and include reasonable justification evidencing extraordinary circumstances.
 - c. No requirements or standards of this Ordinance have been significantly altered as to affect the original approval.
2. Any extension beyond the two increments of one-year each may only be granted by the decision-making body that granted the original approval.

3. Specific Review Procedures

3.1. Zoning Code Changes



3.1.1 Approval Criteria

1. Applicability and Jurisdiction: All zoning map amendment (rezoning) and zoning related UDC text amendments require a public review process that includes public hearings at the Planning Commission and City Council. The City Council shall be the final authority for approval of these applications after a recommendation by the Planning Commission. The procedures for all zoning map amendment (rezoning) and UDC text amendment applications shall be as follows (see [Table 3.3-1](#))
2. Pre-Development Meeting: per [Section 2.3](#). Any of the following parties may initiate a policy related application request:
 - A. The City Council on its own motion, or on petition of an interested property owner
 - B. The Administrator
3. Application Submittal per Section 2.4
4. Completeness Determination per Section 2.4
5. Application Review per Section 2.6
6. Notice procedures for the type of application per Section 2.7 (see [Table 3.2](#))
7. Approval Procedure:
 - A. Planning Commission Action: The Planning Commission shall hold a public hearing on any zoning change or policy related application. The Commission shall forward a report that may recommend approval, approval with conditions, or denial, of the application and forward it to the City Council.
 - B. Action by City Council: The City Council has final authority to approve, approve with conditions, or deny any proposed zoning change or policy related application request.
8. Additional Review and Approval Criteria: [Table 3.3](#) shall establish additional review and approval criteria for the Administrator, the Planning Commission and City Council for different policy related applications.

Table 3.3: Additional Standards and Criteria for Policy Related Applications

Application	Additional Review Standards & Approval Criteria	
UDC Zoning Text Amendment	Planning Commission and City Council Criteria	
	I.	Any of the general approval criteria in Section 3.2.7(2).
	ii.	Whether the proposed amendment is supported by sound planning principles.
	iii.	Whether the proposed amendments implement specific policies in the city's adopted Comprehensive Plan.
	iv.	Whether the amendment promotes the public health, safety, & welfare.

	V.	Whether the amendment corrects an error or omission made when this Ordinance was adopted or last amended.
	Vi.	Whether the amendment is otherwise in the best interest of the city
	Vii.	Any other factors required or allowed by Oklahoma law
Zoning Change	Planning Commission and City Council Criteria	
	I.	As a legislative decision, the decision of a zoning change is subject to the City Council's discretion. The Planning Commission and City Council may consider any or all of the following factors, along with any other relevant facts or circumstances:
		A. The Comprehensive Plan and other adopted plans
		B. The character of the surrounding neighborhood
		C. Any other factors required or allowed by Oklahoma law and case law
	ii.	Protest Petition: In the case of a valid protest petition the rules covering protest petitions in the Oklahoma State Statutes shall apply. The Administrator may prescribe the forms to be used for protest petitions.
	iii.	A Concept Plan shall be required with any zoning change request to either the RMU Regional Mixed Use or PD Planned Development Districts.

3.2. Subdivision Plats



3.3. Appeals and Variances

3.4. Purpose: This section provides a process to gain relief from the strict application of the zoning provisions of this Ordinance (specifically [Article IV: Nonconformities](#)) where it is alleged the property cannot reasonably be developed or to appeal a decision of the Administrator.

3.5. Applicability:

1. The BOA may approve a variance to any provision in this Ordinance, unless the variance is assigned to another body or the Administrator.
2. The BOA may consider an appeal of any decision of the Administrator under this Ordinance unless otherwise specified in this Ordinance.

3.6. Application:

3.7. Time limit on appeals to Administrative Decisions:

1. An appeal to an Administrative Decision shall be filed with the Board (via the City Clerk) and the official from whom the appeal is sought not later than 10 days after the decision is rendered. Failure to submit an appeal within the 10 days shall bar the ability to appeal the decision.

2. It shall be filed by submitting a notice of appeal that specifies the grounds for the appeal.

3.8. Initiation: Applications for a variance or appeal shall be submitted to the Administrator by the following parties, unless otherwise indicated by this article:

1. Any owner of the property subject to the application
2. An agent, representative, lessee, or contract purchaser specifically authorized by the owner to file the application

3.9. Completeness Determination: Requirements in [Section 3.2.5](#) shall apply.

3.10. Hearing Procedures

1. The BOA shall review the application and the recommendation of the Administrator and shall conduct a hearing.
2. The hearing shall comply with Oklahoma State Statutes and any rules of procedure adopted by the BOA.
3. After the hearing is closed, the BOA shall approve, approve with conditions, or deny the application.
4. The BOA shall make and keep minutes of its proceedings in compliance with Oklahoma State Statutes.

3.11. Review and Approval Criteria: The BOA shall not approve a variance unless it finds that all of the following criteria have been met:

1. The variance must be necessary to permit development of a specific parcel of land which differs from other parcels of land by being of such a restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development of other parcels of land in districts with the same zoning
2. The need for the variance is not self-created
3. The need for the variance is not personal or because of financial hardship
4. The requested variances do not permit a person a privilege in developing a parcel of land not permitted by this Ordinance to other parcels of land in districts with the same zoning district or to be developed in a manner inconsistent with the rights of properties similarly zoned
5. The grant of the variance would not violate the intent of this UDC and would further substantial justice

3.12. Amortization:

1. Initiate, on its own motion or otherwise, action to bring about the discontinuance of a nonconforming use in accordance with [Article IV: Nonconformities](#).
2. Require the discontinuance of a nonconforming use under any plan whereby the full value of the structure or use can be amortized within a definite period of time, taking into

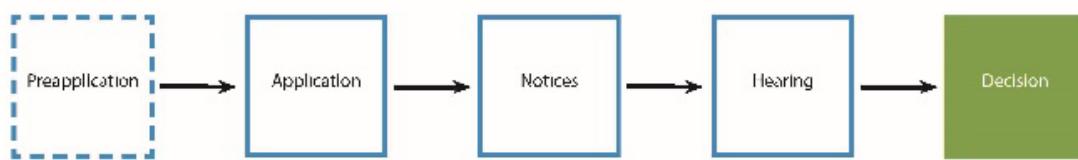
consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this Ordinance.

3. Hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Administrator in the enforcement of this Ordinance.

3.13. Voting Requirements

1. All actions may be decided or approved by the concurring vote of not less than three (3) members of the Board

3.14. Appeals from Board of Adjustment: Any appeal from a BOA decision must be made to the District Court in Rogers County, Oklahoma within 10 days of the decision or as specified in the Oklahoma State Statutes.



4. Enforcement and Penalties

4.1. Purpose

1. This article establishes procedures through which the city seeks to ensure compliance with the provisions of this Ordinance and obtains corrections for violations. It also sets forth the remedies and penalties that apply to violations of this Ordinance.

4.2. Violations

1. Any of the following shall be a violation of this Ordinance and shall be subject to the remedies and penalties provided for in this Ordinance.
 - a. Establish any use or structure without permit or approval: To establish or place any use or structure upon land that is subject to this Ordinance without all of the approvals required by this Ordinance.
 - b. Development or subdivision without permit or approval: To engage in any subdividing, development, construction, remodeling, or other activity of any nature upon land that is subject to this Ordinance without all of the approvals required by this Ordinance.
 - c. Development, subdivision, or use inconsistent with permit: To engage in any improvements, development, use, construction, remodeling, or other activity of any nature in any way inconsistent with the terms and conditions of any permit, approval, certificate, or other form of authorization providing for such activity.
 - d. Development, subdivision, or use inconsistent with conditions of approval: To violate, by act or omission, any term, condition, or qualification placed by a decision-making authority upon any permit or other form of authorization.
 - e. Development or subdivision inconsistent with this ordinance: To erect, construct, reconstruct, remodel, alter, maintain, move, or use any building, or structure, or to

engage in development or subdivision of any land in violation of any zoning, subdivision, or other regulation within this Ordinance.

- f. Making lots or setbacks nonconforming: To reduce or diminish any lot area so that the lot size, setbacks, or open spaces shall be smaller than required, unless in accordance with any exceptions provided under this Ordinance.
- g. Increasing intensity or density of use: To increase the intensity or density of use of any land or structure, except in accordance with the requirements and standards of this Ordinance.
- h. Removing or defacing required notice: To remove, deface, obscure, or otherwise interfere with any notice required by this Ordinance.

4.3. Responsible Persons

- 1. A responsible person is any person who has ownership, care, custody, or control of a property, building or portion of a building. A responsible person includes, but is not limited to an owner, manager, tenant, or contractor. Any responsible person who violates this Ordinance shall be subject to the remedies and penalties set forth in this article.

4.4. Responsibility for Enforcement

- 1. The Administrator shall have primary responsibility for enforcing all provisions of this Ordinance. Other officers of the city, as designated by the City Manager, may share responsibility for enforcing provisions of this Ordinance.

4.5. Enforcement Procedures

- 1. Remedies and Enforcement Powers: The city shall have the remedies and enforcement powers in this section.
- 2. Withhold Permit:
 - a. The city may deny or withhold all permits, certificates, or other forms of authorization on any land or structure or use or improvements upon a determination that there is an uncorrected violation of a provision of this Ordinance or of a condition or qualification of a permit, certificate, approval, or other authorization previously granted by the city. This enforcement provision shall apply regardless of whether the current or previous owner or lessee or applicant is responsible for the violation in question.
 - b. The city may deny or withhold all permits, certificates, or other forms of authorization on any land, structure, use, or improvements owned or being developed by a person who owns, developed, or otherwise caused an uncorrected violation of a provision of this Ordinance or of a condition or qualification of a permit, certificate, approval, or other authorization previously granted by the city. This provision shall apply regardless of whether the property for which the permit or other approval is sought is the property with the violation.
- 3. Permits Approved with Conditions: Instead of withholding or denying a permit or other authorization, the city may grant such authorization subject to the condition that the violation be corrected.
- 4. Revocation of Permits or Authorization:

- a. Any permit or other form of authorization required under this Ordinance maybe revoked, after notice to the applicant, when the Administrator determines that:
 - i. There is a departure from the approved plans, specifications, limitations, or conditions as required under the approved permit or authorization
 - ii. The permit or authorization was procured by false representation
 - iii. The permit or authorization was issued in error
 - iv. There is a violation of any provision of this Ordinance or condition of approval
- b. Written notice of revocation shall be sent to the property owner, agent, applicant, or other person to whom the permit or authorization was issued. No work or construction shall proceed after revocation notice has been sent.

5. Stop Work Order:

- a. With or without revoking permits, the city may stop work on any building or structure on any land on which there is an uncorrected violation of a provision of this Ordinance, an Adopted Ordinance, or of a permit or other form of authorization issued, in accordance with the city's power to stop work under its building codes.
- b. The stop work order and any associated penalties shall be in writing and directed to the person doing the work, and shall specify the provisions of this Ordinance or permit or authorization that is in violation. After any such order has been sent, no work shall proceed on any building, structure, or land covered by such order, except to correct such violation or comply with the order.
- c. Once the violations of the ordinance, permit, authorization, or conditions have been remedied or met, the Administrator shall rescind the stop work order.

6. Municipal Citation: The city, through the Administrator or other employee, may issue citations to be prosecuted in the city's municipal court.

7. Injunctive Relief: The city may seek an injunction or other equitable relief in an appropriate court in Rogers County, Oklahoma to stop any violation of this Ordinance or of a permit, approval, or other form of authorization granted under this Ordinance.

8. Withhold Public Services: The city may withhold any public services until all violations have been remedied and all the requirements of this Ordinance have been met.

9. Other Remedies: The city shall have such other remedies as are and as may be from time-to- time provided by law for the violation of zoning, subdivision, sign, or related ordinance provisions.

10. Other Powers: In addition to the enforcement powers specified in this article, the city may exercise any and all enforcement powers granted by law.

11. Continuation: Nothing in this Ordinance shall prohibit the continuation of previous enforcement actions undertaken by the city pursuant to previous and valid ordinances and laws.

4.6. Cumulative Remedies

The remedies and enforcement powers established in this article shall be cumulative and the city may exercise them in any order or combination at any time.

4.7. Penalties for Violations

1. Any person or corporation who violates any of the provisions of this Ordinance or fails to comply with any of the requirements thereof, or who builds or alters any building, structure, sign, or use or who develops, constructs, remodels, or any other activity of any nature upon land in violation of any permit or authorization shall be guilty of a misdemeanor punishable under this section.
2. The owner or owners or tenant of any building or premises or part thereof, where anything in violation of this Ordinance is placed or exists, and any architect, builder, contractor, agent, person, or corporation employed by the owner or tenant who may have assisted in the commission of any such violation shall be guilty of a separate offense punishable under this section.
3. Any person or corporation violating any of the provisions of this Ordinance shall, upon conviction, be fined any sum not exceeding two hundred dollars (\$200.00) and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

4.8. Appeal to the District Court

1. Procedure
 - a. An appeal from any action, decision, ruling, judgment or order of the Board of Adjustment may be taken by any person or persons aggrieved, or any taxpayer or any officer, department, board or bureau of the City or County to the District Court.
 - b. Notice of appeal which shall specify the grounds of such appeal must be filed within ten (10) days from the date of the action appealed. An appeal from the City of Claremore Board of Adjustment shall be filed with the Clerk of the City and the Clerk of the Board of Adjustment. An appeal from the Rogers County Board of Adjustment shall be filed with the Rogers County Clerk. No bond or deposit for costs shall be required for an appeal.
 - c. Upon filing of the notice of appeal, the Board shall forthwith transmit to the Court Clerk of the District Court the original, or certified copies, of all the papers constituting the record in the case, together with the order, decision or ruling of the Board.

Article IV – Non-Conformities

1. Purpose and General Provisions

- 1.1. Within the Districts established by this Ordinance there are uses, structures and lots which were lawful before this Ordinance was adopted or amended. However, under the terms of this Ordinance and its future amendments where these uses, structures and lots are not permitted, such uses, structures and lots are referred to as "nonconformities" and may continue as regulated by this Chapter. A use lawfully existing prior to the effective date of this Ordinance, which does not comply with a parking, loading, screening, bulk and area, sign or enclosure requirement or requirements, but which is otherwise lawful shall be deemed nonconforming and may continue as regulated by this Chapter until an administrative change occurs subject to the provisions of Section 2.2.1, below.
- 1.2. If, before the effective date of this Ordinance or amendment thereof, a Building Permit authorizing construction was lawfully issued, such construction may be started or continued after such date, subject to the provisions of the Building Code (see Appendix G) and Chapter 18 of this Ordinance.
- 1.3. If, before the effective date of this Ordinance or amendment thereof, construction was started at a location not then subject to this Ordinance and was subsequently diligently pursued, and such construction at such date did not conform to this Ordinance, such construction may be continued after such date, subject to the provisions of Appendix G and Chapter 18 of this Ordinance. For the purposes of this Section, construction shall be deemed to have been started before such date if the Board of Adjustment finds, on application, that before such date the foundation had been completed or costs equaling five (5) percent of the total estimated construction cost had been incurred and would be lost if construction were not permitted to proceed.

2. Nonconforming Uses

2.1. Nonconforming uses of unimproved land

1. When at the effective date of this Ordinance or amendment thereto a lawful use of land exists which would not be permitted by the terms of this Ordinance or amendments thereto, and the only structures employed in connection with the use are all accessory or incidental to such use and in the aggregate do not cover more than 10% of the lot area devoted to the nonconforming use, such use shall be deemed a nonconforming use of unimproved land and shall terminate as follows:
 - a. If the replacement cost of the permanent accessory structures, other than fences, is less than \$1,000.00, the nonconforming use shall terminate within five (5) years from the effective date of this Ordinance or from the date the use became nonconforming, whichever is later.
 - b. Pending termination, the nonconforming use of unimproved land may be continued provided:
 - i. No such nonconforming use shall be changed to another nonconforming use, nor enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of this Ordinance or amendment hereto.

- ii. No 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 Ordinance or amendment hereto.
- iii. No additional structures, other than fences, shall be constructed in connection with such nonconforming use of land.
- iv. If any such nonconforming use of land ceases for any reason for a period of more than 90 days, except when government action impedes access to or use of the premises, any subsequent use of such land shall conform in all respects to the current regulations of the Zoning District in which it is located.

c. Notwithstanding the above, nonconforming uses of unimproved land such as lots with accessory buildings without a primary residence on the lot may be remedied through replatting and combining it with a lot with a primary residence.

2.2. Nonconforming uses of building or buildings and land in combination

- 1. When at the effective date of this Ordinance or amendment hereto, there exists a lawful use of a building, or use of a principal building and land, or use of land and accessory structures, such structures covering more than 10% of the lot area, and such use would not be permitted by the terms of this Ordinance or amendment hereto, 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 by right or with a Special Exception 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 clearly 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 from that day be resumed.
 - d. A nonconforming use of a building, or building and land in combination, if discontinued for six (6) consecutive months, except when governmental action impedes access to or the use of the premises, shall not subsequently be resumed.
 - e. When nonconforming use status applies to a building and land in combination, termination of use of the building within the meaning of this Section 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 an Agriculture or Residential District shall not be changed unless changed to a use permitted in the District in which the nonconforming use is located.
 - g. A nonconforming use of a building or of a building and land in combination when located within a District other than an Agriculture or Residential District, may, as a Special Exception, be changed to a use permitted in such District by Right or Special Exception. Approval of the Special Exception may be granted by the Board of

Adjustment after a finding that the proposed use will not result in any increase of incompatibility with the present and future use of the proximate properties.

- h. When a building subject to a nonconforming use is damaged by fire, flood, earthquake, tornado or similar casualty, restoration of more than 50% of the structure requires UDC compliance via Special Exception for non-conforming use or a variance for lot size, width, or other applicable bulk and area requirements.

2.3. Nonconforming signs

1. Outdoor advertising signs lawfully existing on the effective date of this Ordinance or amendment hereto, but which would be prohibited by the terms of this Ordinance or future amendment hereto, shall be deemed nonconforming and may continue subject to the following provisions:
 - a. The sign shall be maintained in good repair and visual appearance;
 - b. Should the sign be damaged or partially destroyed to the extent of more than 50% of its current replacement cost at the time of damage, the sign shall be removed, or made to conform; and
 - c. If the sign is not used for advertising purposes for a period of six (6) consecutive months, the sign shall be deemed abandoned and shall be removed or made to conform.
 - d. The sign shall not be altered regarding size, shape, orientation, height, location or otherwise altered except for the following:
 - i. Ordinary and necessary repairs which do not exceed 50% of the signs value, provided the change does not cause any additional nonconformity;
 - ii. Change the content of the advertisement, provided such change does not cause any additional nonconformity.

2.3.2 Other signs lawfully existing at the effective date of this Ordinance or amendment hereto but which would be prohibited by the terms of this Ordinance or amendment hereto, shall be deemed nonconforming and may continue subject to the following requirements:

1. A sign which is nonconforming by reason of restrictions on the use of strobe or beacon lights incident thereto may continue so long as the strobe or beacon lights are removed immediately.
2. A sign which is nonconforming due to animations, flashing lights or displays, or other reasons included in Section 1104.8 may continue so long as the animations, flashing display or other prohibited content(s) is removed immediately. Existing signs using scrolling text may remain provided the scrolling text does not flash, pose a significant distraction to drivers and all other conditions of Section 1703.B are met;
3. The sign shall be maintained in good repair and visual appearance; and

4. Should the sign be damaged or partially destroyed to the extent of more than 50% of its current replacement cost at the time of damage, the sign shall be removed or made to conform.

3. Nonconforming Lots

3.1. Residential Districts

In Residential Districts, on any lot filed of record on or before the first effective date of this Ordinance, or on any lot within a subdivision approved by the Planning Commission, or on any lot of record for which a recorded instrument of conveyance bears the endorsement of the Planning Commission and such lot is nonconforming by reason of failure to meet Zoning Ordinance requirements for size or average width, a single-family detached dwelling may be constructed without complying with the required lot area, land area per dwelling unit, lot width, recreation or common open space per dwelling unit or the required side yard which abuts a public street; provided, however, no side yard may be less than five (5) feet, and recreation or common open space shall not be less than 50% of the lot area. All other requirements of the Zoning District shall be complied with.

3.2. Nonresidential Districts

On any lot filed of record on or before the first effective date of this Ordinance, or on any lot within a subdivision having received approval of the Planning Commission, or any lot of record for which a recorded instrument of conveyance bears the endorsement of the Planning Commission the permitted use may be located on such lot without regard for its area or width provided that other requirements of the Zoning District shall be complied with.

3.3. Substandard Lot of Record

In any District where dwellings are permitted, if any lot is smaller than the minimum requirements herein contained and predates the effective date of this Ordinance, such lot may be used for the construction of one single-family detached dwelling. In such case, the Board of Adjustment may permit appropriate reductions of required yards and increase of permitted lot coverage.

4. Nonconforming Structures or Sites

A structure lawfully existing at the effective date of the adoption of this Ordinance or amendment hereto, but which would be prohibited by the terms of this Ordinance by reason of restriction on floor area, density, intensity, height, yards, its location on the lot, or other requirements concerning the structure, shall be deemed nonconforming and may continue subject to the following provisions:

- 4.1. No such nonconforming structure may be enlarged or altered in any manner which increases its nonconformity provided that the addition of a mezzanine or similar alteration which does not increase the cubic content of the structure shall not constitute an increase in nonconformity.
- 4.2. Should such structure except Antennas and Antenna Supporting Structures be damaged or partially destroyed by any means to the extent of 50% or more of its current replacement cost at the time of damage, the restoration shall comply with current requirement unless a Special Exception is granted by the Board of Adjustment for it to be restored as a nonconforming structure after it finds that restoration to a conforming structure cannot reasonably be made in view of the nature and extent of the nonconformity and the nature and extent of the damage.

- 4.3. Antenna and Antenna Supporting Structures, if damaged or destroyed by any means may be reconstructed by obtaining a Building Permit issued in compliance with the original conditions of approval. The reconstructed Antenna and Antenna Supporting Structure shall be placed at the same location and have less than or equivalent height and mass.
- 4.4. Should such nonconforming structure be moved for any distance whatever, it shall conform to the provisions of this Ordinance and the District in which located.
- 4.5. Within the incorporated area of the City of Claremore a nonconforming structure existing at the effective date of this Ordinance may be continued, maintained and repaired, except as otherwise provided in this Section. In the case of residential use of a property in a nonresidential area which has been under the same continuous ownership, a residence which is destroyed by fire, windstorm or other tragedy, or is otherwise removed by its owner, may be rebuilt for residential use after the owner is advised of the existing zoning of the property.
- 4.6. A nonconforming structure shall not be added to or enlarged in any manner, unless said structure, including additions and enlargements, is made to conform to all of the regulations of the Zoning District in which it is located. This provision shall not apply to a residential dwelling under the same continuous ownership in the incorporated area of the City of Claremore.

5. Amortization of Nonconforming Uses, Structures, or Sites

5.1. Initiation of Proceedings

The Administrator, the Board of Adjustment, or the City Council may request the Board of Adjustment initiate proceedings to amortize a nonconforming use or structure or site. All actions to amortize a nonconforming use of land or structure or site shall be taken with due regard for the investment of the persons affected when considered in the light of the public welfare, the character of the area surrounding the designated nonconforming use, and the conservation and preservation of property.

5.2. Consideration by Board of Adjustment

1. The Board of Adjustment may require the termination of nonconforming uses of land or structure under a plan whereby the value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood, degree of incompatibility of the nonconforming use or structure, effect of the nonconforming use or structure on the surrounding area, the necessity for all property to conform to the regulations of this ordinance and other factors that the Board considers relevant.
2. Criteria for Determining Amortization Period: Before the Board of Adjustment may determine an amortization period, it must consider the following factors:
 - a. The owner's capital investment in the structures on the property at the time the use became nonconforming
 - b. The amount of the investment realized to date and the amount remaining, if any, to be recovered during the amortization period
 - c. Any costs attributable to compliance with the standards in the Ordinance, including demolition expenses, moving/relocation expenses, termination of leases, and discharge of mortgages
 - d. The life expectancy of the investment

3. PROCESS: The Board of Adjustment shall conduct a public hearing per the process established in Article III.
4. If the Board of Adjustment establishes a termination date for a nonconforming use or structure the use must cease operations on that date and the owner may not operate it after that date unless it becomes a conforming use.

6. Illegal Uses

6.1. Immediate Termination of Illegal Uses

1. The violation of any of the provisions of one or more of the following categories or ordinances or requirements shall cause the immediate termination of the right to operate such nonconforming use:
 - a. Constructing, maintaining, or operating a use conducted in, or associated with, a building or structure erected without a permit from the city
 - b. Operating a use or occupying a building or structure without a valid Certificate of Occupancy from the city
 - c. Operating a use in violation of a valid Certificate of Occupancy
 - d. Unlawful expansion of a nonconforming use or nonconforming structure
 - e. Unlawful outside display or storage in required parking spaces
 - f. Violation of any provision of a federal or state statute with respect to a nonconforming use
 - g. Violation of any provision of an ordinance of the city with respect to a nonconforming use
2. It is the clear intent of this subsection that nonconforming uses that operate unlawfully shall be considered illegal uses. Illegal uses shall not be considered nonconforming regardless of remedial measures taken to resurrect nonconforming status.

Article V – Zoning Districts

1. GENERAL TO ALL ZONING DISTRICTS AND ZONING MAP

1.1 Zoning Districts Established

This article establishes the zoning districts within the City of Claremore, Oklahoma. This Article V and [Article VII: Use Standards](#), identify the dimensional standards established and uses allowed within the districts. [Article VIII: Development Standards](#), identifies any zoning district-specific standards applying to development in the districts.

The following Table 4.1-1 provides a summary of the zoning districts established.

Table 4.1-1: Zoning Districts Established		
District Type	Abbreviation	Zoning District Name
Residential	A	Agricultural
	RE	Residential Estate
	R-SF 10	Residential Single-Family 10
	R-SF 5	Residential Single-Family 5
	MX	Mixed Residential
	MF-1	Multi-Family 1
	MF-2	Multi-Family 2
	RMH	Residential Manufactured Home
Office/ Commercial	O	Office
	EC	Employment Campus
	NC	Neighborhood Commercial
	RC	Regional Commercial
Industrial	LI	Light Industrial and Manufacturing
	HI	Heavy Industrial and Manufacturing
Special Districts	DT	Downtown/Route 66 District
	OT	Old Town District
	WR	Will Rogers Corridor District
	WB	West Bend/University District
	PUD	Planned Unit Development
	TND	Traditional Neighborhood Development
	CSD	Conservation Subdivision Development

1.2 Zoning District Map

1. The zoning districts are shown on the City of Claremore Zoning Map (Zoning Map). The boundaries of zoning districts established in this Ordinance are delineated upon the Zoning Map and adopted as part of this Ordinance as fully as if the same were set forth in this section in detail. Procedures for amending the Zoning Map are set forth in [Article III, Review Procedures](#).
2. The Administrator shall keep a complete set of the Official Zoning Map in any convenient format, either electronically or in hard copy. The Official Zoning Map shall be kept up to date by posting any subsequent zoning changes as soon as practical after the change occurs. These maps shall be available for public inspection.

1.3 Zoning District Boundaries

1. When uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the Administrator shall be responsible for interpretation of the zoning map in accordance with the following rules:
 - a. Boundaries indicated as approximately following the centerlines of streets, highways, alleys, or railroad rights-of-way are construed to follow those centerlines.
 - b. Boundaries indicated as approximately following platted lot boundaries or city limit boundaries are construed as following those boundaries.
 - c. Boundaries indicated as approximately following the centerlines of streams, creeks, rivers, canals, lakes, or other bodies of water are construed to follow those centerlines. The centerline is interpreted as being midway between the shorelines of the body of water or along the middle of designated floodways. If the centerlines or floodways change, the boundaries are construed as moving with the centerline or floodway.
 - d. Where a zoning district boundary line traverses a large parcel of land or acreage in a recorded subdivision, and such large parcel or acreage has been divided by metes and bounds without indication upon the recorded plat, or where it may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the centerline of a street or alley or the property line resulting from such division nearest to the district line shown on the Official Zoning Map, so long as the zoning district boundary is not varied more than 100 feet from its location on the Official Zoning Map.
 - e. When the district boundary line is not otherwise determined, it shall be determined by the scale of the Official Zoning Map from a given line.
 - f. Whenever a street, alley, or other public way is vacated by official action of the city, the zoning district line adjoining each side of the vacated street, alley, or other public way automatically extends to the centerline of the vacated right-of-way.
3. When there is a question as to the boundary of a tract and that question cannot be resolved by the application of Subsections above, the Planning Commission shall determine the boundary by interpreting the official zoning district map and ordinances amending the map.
4. If, because of error or omission on the Official Zoning Map, any property in the city is not shown to be included in a zoning district, such property shall be classified based upon the best and closest zoning district designation identified in the Comprehensive Plan and the Official Zone Map shall be amended by the Planning Commission and the City Council.

1.4 Annexed Territory

1. When any territory is brought into the jurisdiction of the City of Claremore, by annexation or otherwise, such territory shall be deemed to be in the "AG" Agricultural district unless the City Council designates another zoning district at the time of annexation after staff determination and recommendation by the Planning Commission, giving due consideration to the surrounding existing uses, the

Comprehensive Plan, and property owner request, and provides notice that complies with the notice requirements of [Article III: Review Procedures](#). This provision shall not preclude subsequent rezoning of such property by amendment in the manner set forth in [Article III: Review Procedures](#).

2. RESIDENTIAL ZONING DISTRICTS

2.1 General Purposes of Residential Zoning Districts

The residential zoning districts are intended to:

- (1) Provide appropriate locations for residential development that are consistent with the City of Claremore Future Land Use Plan and Comprehensive Plan.
- (2) Ensure adequate light, air, and privacy for all dwelling units.
- (3) Appropriately address multi-modal transportation access and ensure adequate availability of public services and utilities.
- (4) Allow for a variety of housing types that meet the diverse needs of residents.
- (5) Protect residential development from the encroachment of uses that are incompatible with a residential use.
- (6) In all residential zoning districts, complementary uses such as parks, open space, public schools, religious assemblies, minor public or private utilities, Accessory Buildings, and certain temporary uses are also allowed.

2.2 AGRICULTURAL (AG)

(1) Purpose:	(2) Density	
The Agricultural district is intended to accommodate agricultural uses on large acreage (two-acre min.). This district can also accommodate single-family detached residential uses and Accessory Buildings. It may be used as a holding zoning when property is first annexed into the city. The district provisions allow compatible agricultural uses that are in keeping with the rural character of these neighborhoods.	Dwelling Units/Acre (maximum)	0.5
(3) Lot Dimensions		
(a) Lot Area (minimum) sq. Ft.	80,000	
(b) Lot Width (minimum) feet	80	
(c) Lot Depth (minimum) feet	100	
(4) Setbacks		
(a) Street, Front (minimum) feet		
Arterial or Collector	40	
Local Street	25	
(b) Street, Side (minimum) feet		
All roadways	25	
Alleys/private easements	20	
(c) Rear (minimum) feet		
Alley	20	
(d) Side, Interior (minimum) feet		
Street	15	
(5) Height (maximum) feet		
(a) To highest level eave or parapet	NA	
(6) Lot Coverage (maximum) Percentage		
All buildings on the lot	40%	

Figure i: Lot Dimension Measurement

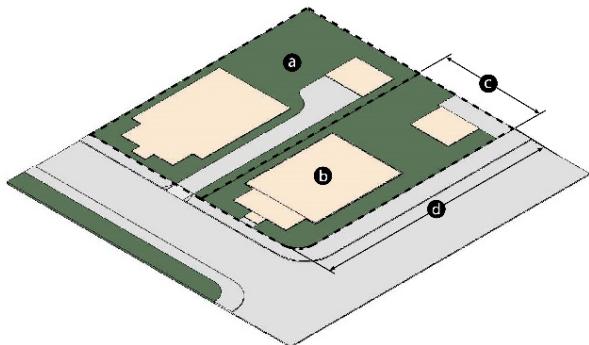


Figure ii. Setback Measurement

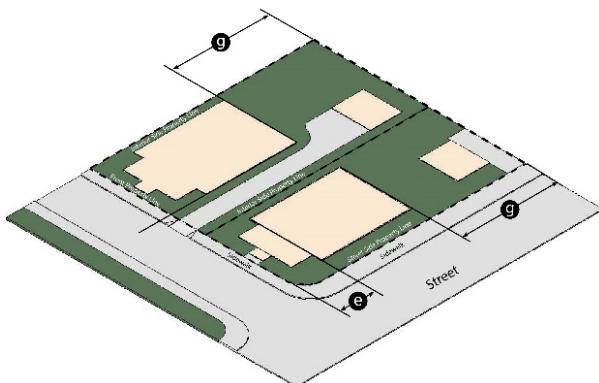
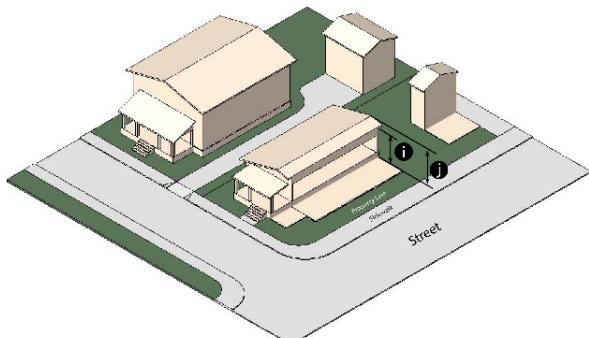


Figure iii. Height Measurement



2.3 RESIDENTIAL ESTATE (RE)

(1) Purpose:		(2) Density	
The Residential Estate (RE) district is intended to accommodate the development and conservation of single-family dwellings in large-lot urban environments. The district shall also accommodate associated Accessory Buildings. The district provisions allow for transitions to adjoining agricultural uses that are in keeping with the rural character of these neighborhoods.		Dwelling Units/Acre (maximum) 2.0	
(3) Lot Dimensions			
(a) Lot Area (minimum) sq. Ft. 20,000			
(b) Lot Width (minimum) feet 60			
(c) Lot Depth (minimum) feet 80			
(4) Setbacks			
(a) Street, Front (minimum) feet			
Arterial or Collector 35			
Local Street 25			
(b) Street, Side (minimum) feet			
All roadways 25			
Alleys/private easements 20			
(c) Rear (minimum) feet 30			
Alley 20			
(d) Side, Interior (minimum) feet 10			
(5) Height (maximum) feet			
(a) To highest level eave or parapet 35			
(6) Lot Coverage (maximum) Percentage			
All buildings on the lot 40%			

Figure i: Lot Dimension Measurement

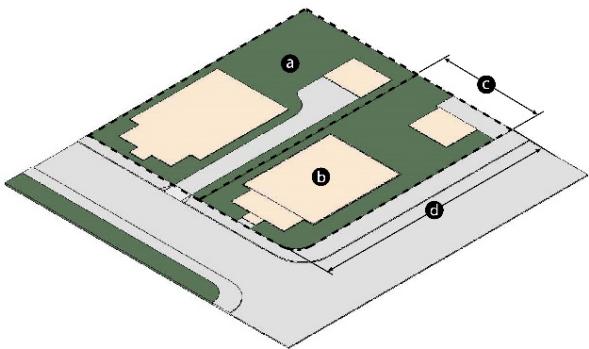


Figure ii. Setback Measurement

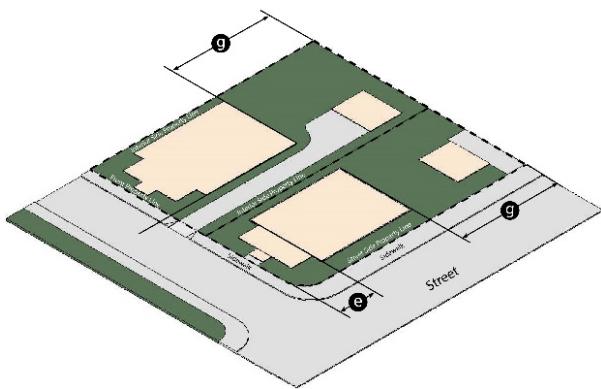
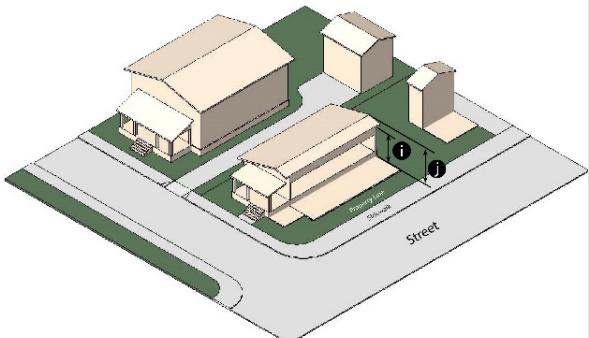


Figure iii. Height Measurement



2.4 RESIDENTIAL SINGLE-FAMILY-10 (R-SF 10)

(1) Purpose:	(2) Density	
The Residential Single-Family District 10 (R-SF10) is intended to accommodate suburban style large-lot (10,000 sq. Ft.) Single-family detached residential uses and Accessory Units and Buildings. The district provisions discourage any use that would substantially interfere with the quiet residential nature of the district.	Dwelling Units/Acre (maximum)	4.0
(3) Lot Dimensions		
(a) Lot Area (minimum) sq. Ft.	10,000	
(b) Lot Width (minimum) feet	60	
(c) Lot Depth (minimum) feet	100	
(4) Setbacks		
(a) Street, Front (minimum) feet		
Arterial or Collector	35	
Local Street	25	
(b) Street, Side (minimum) feet		
All roadways	25	
Alleys/private easements	20	
(c) Rear (minimum) feet		
Alley	20	
(d) Side, Interior (minimum) feet		
10		
(5) Height (maximum) feet		
(a) To highest level eave or parapet	35	
(6) Lot Coverage (maximum) Percentage		
All buildings on the lot	60%	

Figure i: Lot Dimension Measurement

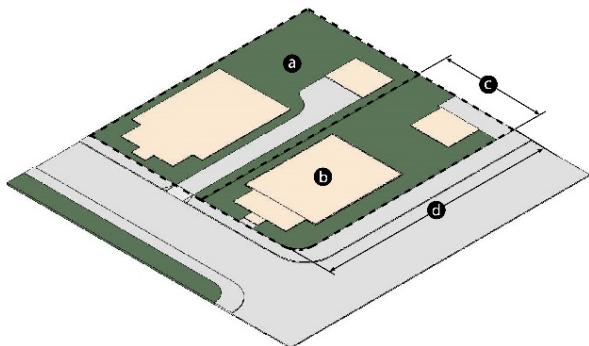


Figure ii. Setback Measurement

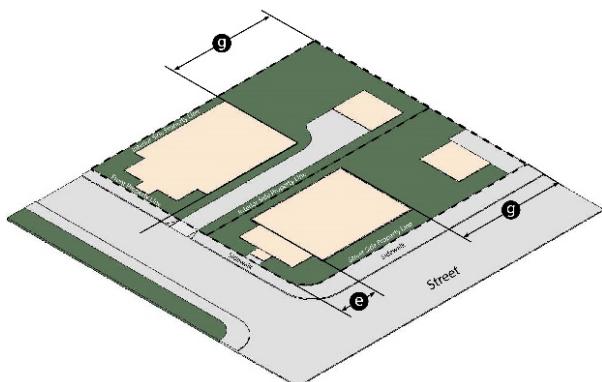
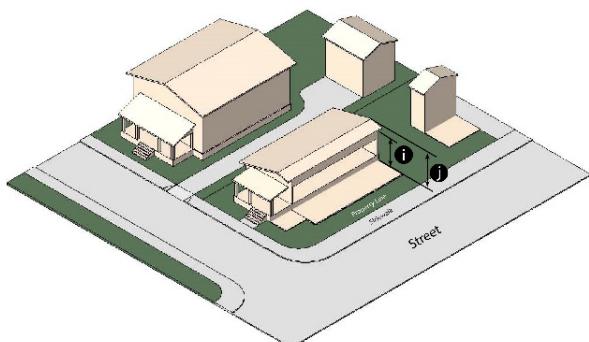


Figure iii. Height Measurement



2.5 RESIDENTIAL SINGLE-FAMILY -5 (R-SF 5)

(1) Purpose:	(2) Density	
The Residential Single-Family District 5 (R-SF 5) is intended to accommodate smaller lots (5,000 sq.ft.) With single-family detached residential uses and Accessory Buildings. Homes in this district may also be designed as zero lot-line houses. The district provisions discourage any use that would substantially interfere with the development of single-family detached dwellings.	Dwelling Units/Acre (maximum)	8.0
(3) Lot Dimensions		
(a) Lot Area (minimum) sq. Ft.	5,000	
(b) Lot Width (minimum) feet	50	
(c) Lot Depth (minimum) feet	80	
(4) Setbacks		
(a) Street, Front (minimum) feet		
Arterial or Collector	30	
Local Street	20	
(b) Street, Side (minimum) feet		
All roadways	20	
Alleys/private easements	5	
(c) Rear (minimum) feet		
Alley	5	
(d) Side, Interior (minimum) feet		
5		
(5) Height (maximum) feet		
(a) To highest level eave or parapet	35	
(6) Lot Coverage (maximum) Percentage		
All buildings on the lot	60%	
(7) Alternative Lot Standards		
Side yard lot	10 ft minimum distance between homes. (one side built on lot line, 10 ft setback on opposite side)	

Figure i: Lot Dimension Measurement

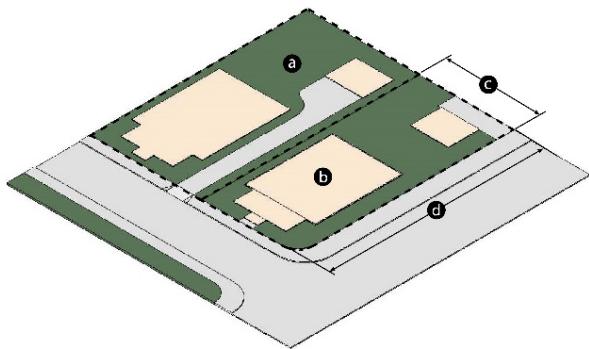


Figure ii. Setback Measurement

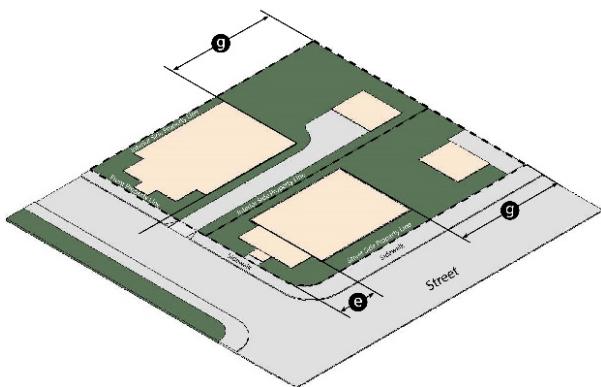
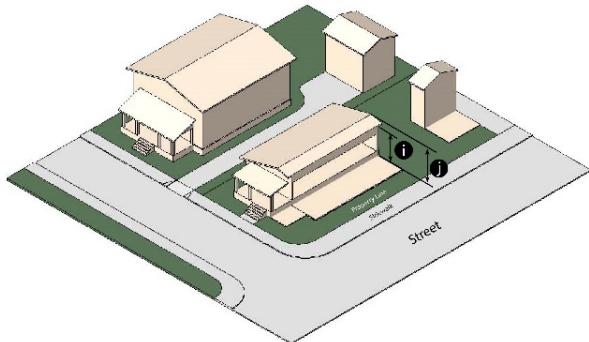
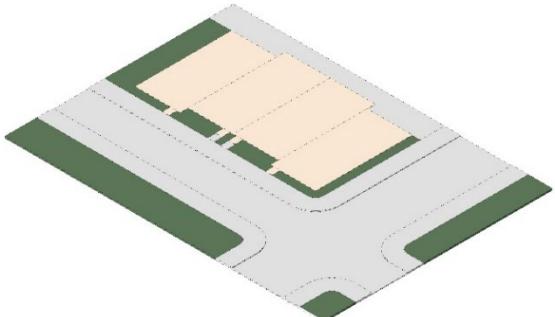
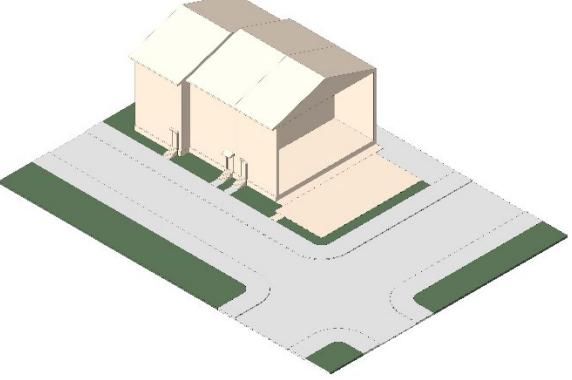
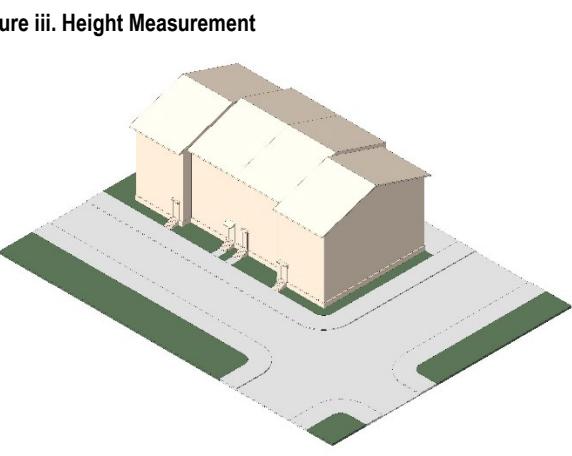


Figure iii. Height Measurement



2.6 MIXED RESIDENTIAL DISTRICT (MXD)

(1) Purpose:	(2) Density		
<p>The Mixed Residential District (MXD) is established and intended to encourage a range of missing middle residential types from small lot single-family detached to townhomes to small apartments to meet the diverse needs of city residents. Maximum residential density is limited to 18 units per gross acre.</p>	Dwelling Units/Acre (maximum)	18.0	
(3) Permitted Lot/Housing Types			
(a) Duplex (side-by-side, alley or front loaded)			
(b) Duplex (stacked, alley or front loaded)			
(c) Townhouse (alley loaded)		See Section 2-10	
(d) Cottage Court (alley or front loaded)			
(e) Four-plex (stacked, alley or front loaded)			
(f) Approved Pattern Building Types			
Figure i. Lot Dimension Measurement			
			
Figure ii. Setback Measurement			
			
Figure iii. Height Measurement			
			

2.7 MULTI-FAMILY 1 DISTRICT (MF-1)

(1) Purpose:	(2) Density
<p>The Multi-Family Residential district 1 (MF-1) is established to provide opportunities for medium- density multi-family residential uses with a maximum density of 24 dwelling units per acre, which are designed to be compatible with their sites and surroundings.</p>	<p>Dwelling Units/Acre (maximum) 24.0</p>
(3) Lot Dimensions	
(a) Lot Area (minimum) sq. Ft.	7,000
(b) Lot Width (minimum) feet	80
(c) Lot Depth (minimum) feet	100
(4) Setbacks	
(a) Street, Front (minimum) feet	
Arterial or Collector	20
Local Street	15
(b) Street, Side (minimum) feet	
All roadways	15
Alleys/private easements	5
(c) Rear (minimum) feet	
Rear	15
Alley	5
(d) Side, Interior (minimum) feet	
Side, Interior	5
(5) Height (maximum) feet	
(a) To highest level eave or parapet	35
(6) Lot Coverage (maximum) Percentage	
All buildings on the lot	70%

Figure i: Lot Dimension Measurement

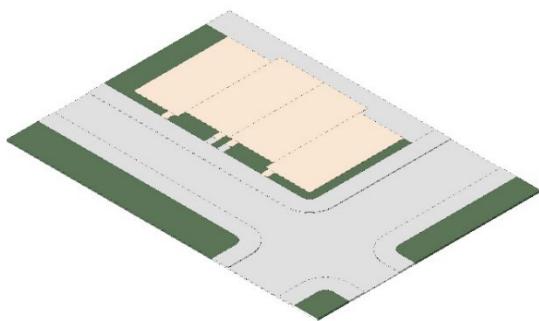


Figure ii. Setback Measurement

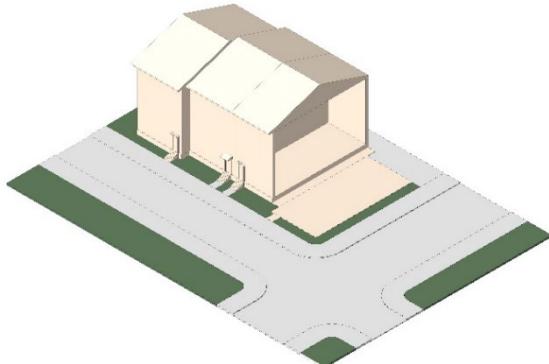
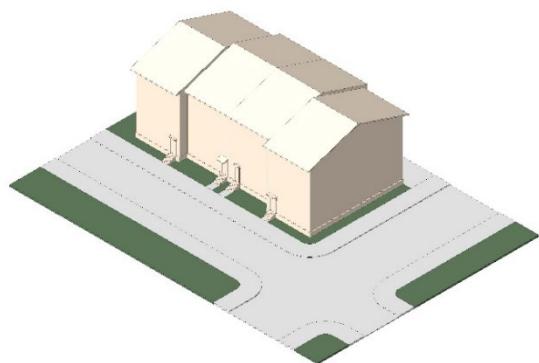


Figure iii. Height Measurement



2.8 MULTI-FAMILY 2 DISTRICT (MF-2)

(1) Purpose:	(2) Density	
<p>The Multi-Family Residential district 2 (MF-2) is established to provide opportunities for medium- density multi-family residential uses with a maximum density of 40 dwelling units per acre, which are designed to be compatible with their sites and surroundings.</p>	Dwelling Units/Acre (maximum)	40.0
(3) Lot Dimensions		
(a) Lot Area (minimum) sq. Ft.		10,000
(b) Lot Width (minimum) feet		100
(c) Lot Depth (minimum) feet		100
(4) Setbacks		
(a) Street, Front (minimum) feet		
Arterial or Collector		20
Local Street		15
(b) Street, Side (minimum) feet		
All roadways		10
Alleys/private easements		5
(c) Rear (minimum) feet		10
Alley		5
(d) Side, Interior (minimum) feet		5
(5) Height (maximum) feet		
(a) To highest level eave or parapet		45
(6) Lot Coverage (maximum) Percentage		
All buildings on the lot		70%
(7) Alternative Lot Standards		
Side yard lot 10 ft minimum distance between homes. (one side built on lot line, 10 ft setback on opposite side)		

Figure i: Lot Dimension Measurement

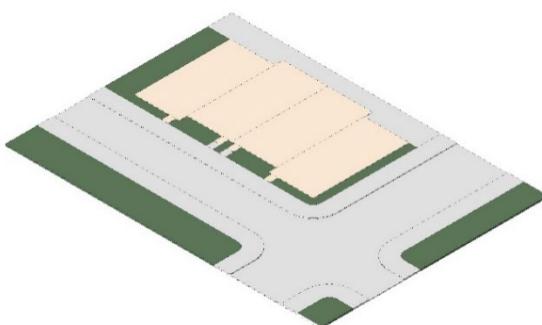


Figure ii. Setback Measurement

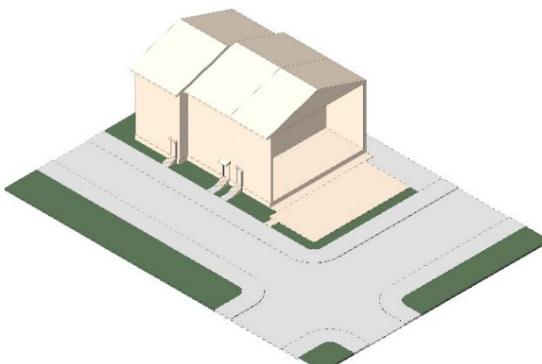


Figure iii. Height Measurement



2.9 RESIDENTIAL MANUFACTURED HOME DISTRICT (RMH)

(1) Purpose:	(2) Density	
<p>The Manufactured Home (MH) district provides for an affordable option for single-family residential accommodations. These standards provide appropriate requirements for density, spacing, and uses and to provide for a separate district designated for the specific purpose of providing, at appropriate locations, areas for the development of Manufactured Homes.</p>	Dwelling Units/Acre (maximum)	8.0
(3) Lot Dimensions		
(a) Lot Area (minimum) sq. Ft.		5,000
(b) Lot Width (minimum) feet		50
(c) Lot Depth (minimum) feet		75
(4) Setbacks		
(a) Street, Front (minimum) feet		
Arterial or Collector		30
Local Street		20
(b) Street, Side (minimum) feet		
All roadways		20
Alleys/private easements		5
(c) Rear (minimum) feet		10
Alley		5
(d) Side, Interior (minimum) feet		5
(5) Height (maximum) feet		
(a) To highest level eave or parapet		35
(6) Lot Coverage (maximum) Percentage		
All buildings on the lot		60%

2.10 LOT STANDARDS TABLE FOR MIXED RESIDENTIAL HOUSING TYPES

	Duplex (Side-by-side; Alley loaded)	Duplex (Side-by-side; Front loaded)	Duplex (Stacked; Alley loaded)	Duplex (Stacked; Front loaded)	Four-Plex (Stacked; Alley loaded)	Four Plex (Stacked; Front loaded)	Cottage Court (Alley loaded)	Cottage Court (Front loaded)	Townhouse (Alley loaded)
LOT STANDARDS									
Min. Width (feet)	50	55	35	45	50	60	110	125	25 (corner lots are wider by 5')
Min. Depth (feet)	80	110	80	125	80	130	80	150	80
Average Lot Area (sq.ft.)	5,000	6,050	3,500	5,625	6,000	7,800	16,500	18,750	2,750
UNITS									
Number of Units	2	2	2	2	4	4	8	6	1
DENSITY									
Max. Gross Density (DU/Acre)	12	11	18	13	22	18	16	12	12
PARKING									
Min. Off-Street Ratio*	1	1	1	1	1	1	1	1	2
SETBACKS (FEET)									
Front	15	15	15	15	15	15	15	15	10
Front (Arterial/Collector)	10	10	10	10	10	10	30 (internal courtyard width)	30 (internal courtyard width)	10
Side (Non-Arterial/Collector)	5	5	5	5	5	5	5	5	0
Rear	5	5	5	5	5	5	5	5	5
BUILDING									
Typical Width	36	36	24	24	40	40	24	24	25
Typical Depth	34	34	42	42	60	60	35	35	35
Max. Height (stories)**	2	2	2	2	2	2	1	1	2

*Off-Street Ratio is defined as parking spaces per homes

**Habitable Roofs do not count towards height (stories) limit.

	Triplex (Stacked; Alley loaded)	Triplex (Stacked Front loaded)	Small Apartment (Alley loaded)	Small Apartment (Front loaded)	Courtyard Apartment (Alley loaded)	Courtyard Apartment (Front loaded)	Live-Work (Flex-house) (Alley loaded)
LOT STANDARDS							
Min. Width (feet)	40	45	95	105	85	90	25
Min. Depth (feet)	80	115	80	135	80	130	80
Average Lot Area (sq.ft.)	4,200	5,175	10,925	14,175	9,350	11,700	3,000
UNITS							
Typical Number of Units	3	3	12	12	7	7	1
DENSITY							
Max. Gross Density (DU/Acre)	23	20	35	30	24	21	11
PARKING							
Min. Off-Street Ratio*	1	1	0.75	1.3	<1	<1	1
SETBACKS (FEET)							
Front	15	15	15	15	15 (Courtyard is approx. 25'X25')	15 (Courtyard is approx. 25'X25')	10
Front (side street)	10	10	10	10	10	10	10
Side	5	5	5	5	5	5	0
Rear	5	5	5	5	5	5	3
BUILDING							
Typical Width	24	24	75	75	67	67	25
Typical Depth	42	42	65	65	47	47	35
Max. Height (stories)**	3	3	2	2	2	2	3

*Off-Street Ratio is defined as parking spaces per homes

**Habitable Roofs do not count towards height (stories) limit.

3. NON-RESIDENTIAL ZONING DISTRICTS

3.1 General Purposes of Non-Residential Zoning Districts

The Non-Residential zoning districts are intended to:

1. Accommodate a range and different scales of non-residential uses including office, retail, commercial, and service uses needed by Claremore.
2. Encourage site planning, land use planning, and architectural design that create interesting and attractive environments.
3. Maintain and enhance the city's economic base and provide a range of shopping, entertainment and employment opportunities for the residents and visitors of Claremore.
4. Minimize potential negative impacts of commercial development on adjacent residential neighborhoods.
5. Help ensure that the appearance and operational impacts of commercial developments do not adversely affect the character of the areas in which they are located.

3.2 OFFICE DISTRICT (O)

(1) Purpose	(2) Density
The Office (O) zoning district is intended to provide for the development of a range of office, employment, medical offices, professional service, and business support uses including garden-style offices near or adjacent to residential neighborhoods. This district is appropriate along arterial and collector roadways where direct frontage and access to residential uses is not desirable. Landscaping along the major street frontage, adequate street access and parking capacity should be available to serve the office uses.	Dwelling units/acre NA
	(3) Lot Dimensions
	Lot Area (minimum) square feet 5,000
	(4) Setbacks (minimum) feet
	Street
	Freeway, freeway frontage road, or arterial roadway 35
	All other streets 20
	Interior
	Side 10
	Rear 10
	Adjacent to single-family residential (side or rear) 20
	(5) Height stories and feet (maximum) (measured to the top of the eave or parapet)
	To highest level eave or parapet 2 stories, 35 feet
	(6) Lot Coverage (maximum) percentage
	All structures on the lot 60%

Illustrative Images



3.3 EMPLOYMENT CAMPUS DISTRICT (EC)

(1) Purpose	(2) Density			
The Employment Campus (EC) zoning district is intended to provide for the development of a range of office, employment, professional service, and business support uses in a master planned office or business park or corporate campus context. The district shall apply to larger parcels that may accommodate a range of office and support uses including lodging and retail uses. Landscaping along the highway frontage, adequate street access and parking capacity should be available to serve the office uses.	Dwelling units/acre	NA		
(3) Lot Dimensions				
Lot Area (minimum) square feet	20,000			
(4) Setbacks (minimum) feet				
Street				
Freeway, freeway frontage road, or arterial roadway	35			
All other streets	20			
Interior				
Side	10			
Rear	10			
Adjacent to single-family residential (side or rear)	20			
(5) Height stories and feet (maximum) (measured to the top of the eave or parapet)				
Within 50 feet of any single-family residential use or single-family zoned lot	2 stories, 35 feet			
To highest level eave or parapet	5 stories, 75 feet			
(6) Lot Coverage (maximum) percentage				
All structures on the lot	50%			
Illustrative Images				
 				
 				

3.4 NEIGHBORHOOD COMMERCIAL (NC)

(1) Purpose		(2) Density	
<p>The Neighborhood Commercial (NC) zoning district is intended to provide for locally serving office, retail, personal service, and businesses. Development should be compatible in scale, character, and intensity with adjacent neighborhoods while having convenient access to both pedestrians and automobiles. The district's standards are intended to protect adjacent residential areas. NC zoning is ideally suited for arterial corridors and collector streets and located on corner lots adjacent to residential development.</p>		Dwelling units/acre	NA
(3) Lot Dimensions		Lot Area (minimum) square feet	5,000
(4) Setbacks (minimum) feet		Street	
		Freeway, freeway frontage road, or arterial roadway	25
		All other streets	15
Interior		Side	10
		Rear	10
		Adjacent to single-family residential (side or rear)	20
(5) Height stories and feet (maximum)			
		To highest level eave or parapet	2 stories, 35 feet
(6) Lot Coverage (maximum) percentage			
		All structures on the lot	60%
Illustrative Images			
			
			

3.5 REGIONAL COMMERCIAL (RC)

(1) Purpose		(2) Density	
<p>The Regional Commercial (RC) district is intended primarily to provide sites for larger scale and format community and regional retail shopping centers including stores selling items such as home furnishings, apparel, electronics, etc.; restaurants, entertainment, commercial recreation; business, personal, and financial services. These uses are subject to frequent view by the public given their location along major regional arterials and highways, and they should provide an attractive appearance with landscaping, well-designed and appropriately located parking, and controlled traffic movement. Traffic generated by the uses may include high volumes of vehicle traffic, and trucks and commercial vehicles as appropriate for sites adjacent to regional roadways. Although surface parking along the roadway is permitted, strip-type development along the entire highway or arterial frontage is strongly discouraged.</p>		Dwelling units/acre	NA
(3) Lot Dimensions			
Lot Area (minimum) square feet		10,000	
(4) Setbacks (minimum) feet			
Street		Freeway, freeway frontage road, or arterial roadway	25
All other streets		15	
Interior			
Side		10	
Rear		10	
Adjacent to single-family residential (side or rear)		20	
(5) Height stories and feet (maximum)			
To highest level eave or parapet		5 stories, 75 feet	
(6) Lot Coverage (maximum) percentage			
All structures on the lot		60%	

Illustrative Images



4. INDUSTRIAL DISTRICTS

4.1 General Purposes of Industrial Zoning Districts

The industrial zoning districts are intended to:

1. Accommodate a range of industrial uses including storage, logistics, assembly, and manufacturing uses in Claremore.
2. Encourage site planning, land use planning, and architectural design that create attractive but functional and safe environments.
3. Maintain and enhance the city's economic base and provide a range of employment and manufacturing opportunities for Claremore residents.
4. Minimize potential negative impacts of industrial uses on other adjacent uses.
5. Help ensure that the appearance and operational impacts of industrial developments do not adversely affect the character of the areas in which they are located.

4.2 Light Industrial and Manufacturing District (LI)

(1) Purpose	(2) Density
The Light Industrial and Manufacturing (LI) district is intended to provide for the development of research, light industrial, processing, assembly, high-tech manufacturing, warehousing, logistics, and other indoor light industrial uses, as well as supporting business service and office uses. Uses permitted in this district are intended to serve community and regional needs. This district is intended to be located away from low- and medium-density residential development with good regional roadway access.	Dwelling units/acre NA
(3) Lot Dimensions	
Lot Area (minimum) square feet	10,000
(4) Setbacks (minimum) feet	
Street	
Freeway, freeway frontage road, or arterial roadway	35
All other streets	25
Interior	
Side	10
Rear	10
Adjacent to single-family residential (side or rear)	30
(5) Height stories and feet (maximum) (measured to the top of the eave or parapet)	
Within 50 feet of any single-family residential uses (as measured from the residential property line)	2 stories, 35 feet
All other	5 stories, 75 feet
(6) Lot Coverage (maximum) percentage	
All structures on the lot	75%

Illustrative Images



4.3 Heavy Industrial and Manufacturing District (HI)

(1) Purpose	(2) Density
The Heavy Industrial and Manufacturing (HI) district is intended to provide for the development of heavy industrial and manufacturing uses, as well as supporting business and office uses. Uses permitted in this district are intended to serve community and regional needs. This district is intended to be located away from low and medium density residential development and buffered from other adjoining uses. In addition, due to need for truck access, HI districts shall have good access to regional arterials and highways.	Dwelling units/acre NA
(3) Lot Dimensions	
Lot Area (minimum) square feet	20,000
(4) Setbacks (minimum) feet	
Street	
Freeway, freeway frontage road, or arterial roadway	35
All other streets	25
Interior	
Side	10
Rear	10
Adjacent to single-family residential (side or rear)	50
(5) Height stories and feet (maximum) (measured to the top of the eave or parapet)	
Within 75 feet of any single-family residential uses (as measured from the residential property line)	2 stories, 35 feet
All other	5 stories, 75 feet
(6) Lot Coverage (maximum) percentage	
All structures on the lot	75%

Illustrative Images



Article VI – Special Districts

1. Special District Purpose and Intent

1.1. General Purposes of Special Zoning Districts

- a. The special zoning districts are intended to:
 - i. Implement the vision for key areas within the city: Downtown, Oldtown, Will Rogers and West Bend Neighborhoods.
 - ii. Provide for a flexible zoning tool in the form of special development standards intended to implement urban development projects that can better respond to changing market demand.
 - iii. Encourage site planning, land use planning, and architectural design that creates interesting, pedestrian-friendly and walkable environments.
 - iv. Maintain and enhance the city's economic base and provide shopping, entertainment and employment opportunities close to where people live.
 - v. Provide for a range of housing types within the context of mixed use, walkable developments to maximize long-term sustainability.

1.2. Relation to other City Ordinances

- a. These special districts are created to conform with the Special Districts study established as a part of the City of Claremore Comprehensive Plan.
- b. The standards for these districts are unique to the areas where they are established. Outside of the prescribed special districts and the master planned PUD/TND/CSD, no other property shall adopt the special districts unless a planning process is performed to justify the expansion of the district.
- c. Special Districts shall have sole governance over land use, subdivision and site development standards.
- d. All rules within the special districts supersede any other City Ordinances, where a regulation is mentioned. If the special districts are silent on a subject, then the city-wide ordinance shall govern.

1.3. Non-Conforming Sites and Structures. Shall be governed by rules established in [Article IV - Nonconformities](#).

2. Regulating Plan

2.1. Adoption of Regulating Plan

- a. The special districts are shown on the City of Claremore Special Districts Regulating Plan (Regulating Plan). The boundaries of special districts established in this Ordinance are delineated upon the Regulating Plan and adopted as part of this

Ordinance as fully as if the same were set forth in this section in detail. Procedures for amending the Regulating Plan are set forth in [Article III: Review Procedures](#).

- b. Administrative modifications to the Regulating Plan shall be made by the Administrator.

2.2. Special Districts Established

- a. This article establishes the Special Districts within the City of Claremore, Oklahoma. This [Article VI](#) and [Article VII: Use Standards](#), identify the dimensional standards established and uses allowed within the districts. [Article VIII: Development Standards](#), identifies any zoning district-specific standards applying to development in the districts.

- b. The following table provides a summary of the Special Districts established:

Table 6.2.1: Special Districts Established

District Type	Abbreviation	Zoning District Name
Special Districts	DT	<u>Downtown/Route 66 District</u>
	OT	<u>Old Town District</u>
	WR	<u>Will Rogers Corridor District</u>
	WB	<u>West Bend/University District</u>
	PUD	<u>Planned Unit Development</u>
	TND	<u>Traditional Neighborhood Development</u>
	CSD	<u>Conservation Subdivision Development</u>

3. Special Districts

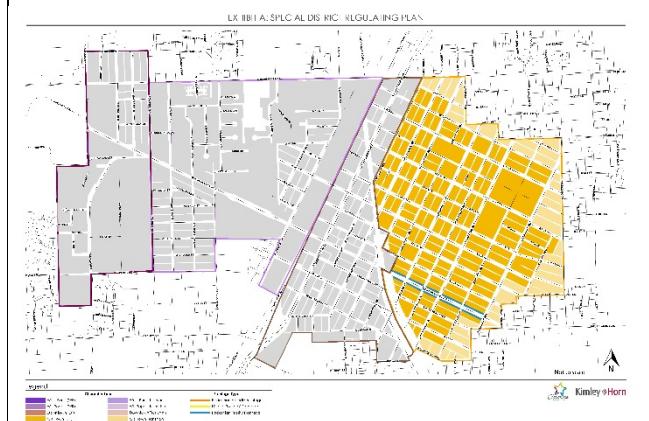
3.1 Downtown District (DT)

(1) Purpose:		(2) Density			
<p>The DT Special District is intended to encourage the preservation of the historic core of the City along with the walkable public space along Will Rogers Boulevard. This district also contains a stretch of the Historic Route 66, which is more auto centric, but nonetheless important to the core of the Downtown. The DT Special District is intended to be the center of live, work, play, and congregate in the City. It is intended to be a mixed-use district with the higher density allowances of a city center.</p> <p>The direct relationship to Will Rogers Boulevard and Historic Route 66 provides opportunities for special frontage standards which are mandatory design requirements. Development should facilitate pedestrian connections and soft transitions between residential and non-residential uses. Residential uses are encouraged on the upper floors of nonresidential establishments.</p>		Dwelling Units/Acre (maximum)	N/A		
(3) Lot Dimensions					
Lot width, min. (ft)		25			
Lot depth, min. (ft)		50			
(4) Setback Ranges (See Definitions)					
Front, min./max. (ft)					
Pedestrian-Priority Frontage (see note 1)		0 min 10 max			
Historic Route 66 Frontage (see note 2)		20 min 70 max			
Public Open Space, Trail		10 min 30 max			
Public street or private access easement		5 min 20 max			
Side, min./max/ (ft)					
Pedestrian-Priority Frontage		0 min 10 max			
Public street		10 min No max			
Interior Lot line		No min No max			
Private access easement or alley		5 min No max			
Rear min./max. (ft)					
Alley (see note 3)		3 min No max			
All other conditions		10 min No max			
(5) Building Standards (See Definitions)					
Building height, max. (Stories/ft)		6 stories/ 75 ft			
Pedestrian-Priority Frontage		90% min			
All other frontage		70% min			
Lot Coverage, max. (%)		N/A			
(6) Notes					
<ol style="list-style-type: none"> Front setbacks along Pedestrian-Priority Frontages shall align with adjacent buildings so that there is a consistent setback line For new construction: 70 feet is the maximum allowed setback in order to permit one row of double-headed parking in front of the building. All other parking shall be placed to the side and rear of the structure. If a garage driveway is not intended to have cars parked in front of the garage entry, then 3 ft is the maximum dimension. If parking is intended, then the driveway must be at least 8 ft for parallel parking, or 18 ft for perpendicular parking. 					



3.2 Old Town District (OT)

(1) Purpose:		(2) Density			
<p>The OT Special District is intended to encourage the preservation of the historic neighborhood fabric around the core of Downtown along with the extension of walkable public space along Will Rogers Boulevard. The OT Special District is intended to be compatible to the DT Special District, but less intense density and activity of non-residential uses. It is intended to be a mixed-use district but the more intense development should be located along Will Rogers Boulevard.</p> <p>The direct relationship to Will Rogers Boulevard provides opportunities for special frontage standards which are mandatory design requirements. Development should facilitate pedestrian connections and soft transitions between residential and non-residential uses. Residential uses are encouraged on the upper floors of nonresidential establishments. Home occupations are intended to be an accessory use of the residents in the district.</p>		Dwelling Units/Acre (maximum) N/A			
(3) Lot Dimensions		Lot width, min. (ft) 25			
Lot depth, min. (ft)		50			
(4) Setbacks		Front, min./max. (ft)			
Pedestrian-Priority Frontage		0 min 20 max			
Public Open Space or Trail		10 min 30 max			
Public street or private access easement		10 min 20 max			
Side, min./max/ (ft)					
Pedestrian-Priority Frontage		10 min 20 max			
Public street		15 min No max			
Interior Lot line		10 min No max			
Private access easement or alley		10 min No max			
Rear min./max. (ft)					
Alley (see note 1)		3 min 20 max			
All other conditions		10 min 20 max			
(5) Building Standards					
Building height, max. (stories/ft)					
Adjacent to Will Rogers Boulevard		5 stories max			
Old Town Transition (see Regulating Plan)		3 stories max			
All other Old Town properties		3 stories max			
Frontage Requirement					
Pedestrian-Priority Frontage		70% min			
All other frontages		50% min			
Lot Coverage, max. (%)		N/A			
(6) Notes					
1. If a garage driveway is not intended to have cars parked in front of the garage entry, then 3 ft is the maximum dimension. If parking is intended, then the driveway must be at least 8 ft for parallel parking, or 18 ft for perpendicular parking.					



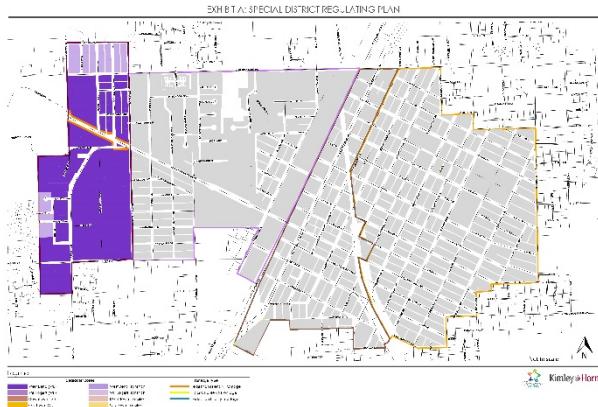
3.3 Will Rogers Corridor District (WR)

(1) Purpose:		(2) Density	
The WR Special District is intended to continue support of neighborhood services and employment along the corridor frontage, while appropriately transitioning to existing neighborhoods adjacent. It serves as the main corridor connecting Rogers State University and Downtown Claremore and should provide for multi-modal connectivity along Will Rogers Boulevard. It is intended to be a mixed-use district but the more intense development should be located along Will Rogers Boulevard.		Dwelling Units/Acre (maximum)	N/A
(3) Lot Dimensions			
Lot width, min. (ft)		25	
Lot depth, min. (ft)		50	
(4) Setbacks			
Front, min./max. (ft)			
Pedestrian-Friendly Frontage		5 min 35 max	
Public Open Space or Trail		10 min 30 max	
Public street or private access easement		10 min 20 max	
Side, min./max/ (ft)			
Pedestrian-Priority Frontage		10 min 20 max	
Public street		15 min No max	
Interior Lot line		10 min No max	
Private access easement or alley		5 min No max	
Rear min./max. (ft)			
Alley (see note 1)		3 min 20 max	
All other conditions		10 min 20 max	
(5) Building Standards			
Building height, max. (stories/ft)			
Adjacent to Will Rogers Boulevard		5 stories max	
Will Rogers Transition (see Regulating Plan)		3 stories max	
All other Will Rogers properties		3 stories max	
Frontage Requirement			
Pedestrian-Friendly Frontage		70% min	
All other frontages		50% min	
Lot Coverage, max. (%)		N/A	
(6) Notes			
1. If a garage driveway is not intended to have cars parked in front of the garage entry, then 3 ft is the maximum dimension. If parking is intended, then the driveway must be at least 8 ft for parallel parking, or 18 ft for perpendicular parking.			



3.4 West Bend District (WB)

(1) Purpose:		(2) Density	
The WB Special District is intended to serve as an entertainment and event center in collaboration with the Claremore Expo Center. It contains adjacency to Rogers State University and should provide for multi-modal connectivity along Will Rogers Boulevard. It is intended to be a mixed-use district with transitions to existing single family.		Dwelling Units/Acre (maximum)	N/A
(3) Lot Dimensions			
Lot width, min. (ft)		25	
Lot depth, min. (ft)		50	
(4) Setbacks			
Front, min./max. (ft)			
Pedestrian-Friendly Frontage		5 min 35 max	
Public Open Space or Trail		10 min 30 max	
Public street or private access easement		10 min 20 max	
Side, min./max/ (ft)			
Pedestrian-Priority Frontage		10 min 20 max	
Public street		10 min No max	
Interior Lot line		5 min No max	
Private access easement or alley		5 min No max	
Rear min./max. (ft)			
Alley (see note 1)		3 min 20 max	
All other conditions		10 min 20 max	
(5) Building Standards			
Building height, max. (stories/ft)			
West Bend Transition (see Regulating Plan)		3 stories max	
All other West Bend properties		5 stories max	
Frontage Requirement			
Pedestrian-Friendly or Open Space Frontage		70% min	
All other frontages		50% min	
Lot Coverage, max. (%)		N/A	
(6) Notes			
1. If a garage driveway is not intended to have cars parked in front of the garage entry, then 3 ft is the maximum dimension. If parking is intended, then the driveway must be at least 8 ft for parallel parking, or 18 ft for perpendicular parking.			



3.5. Planned Unit Development (PUD)

- a. Purpose and Intent: The Planned Unit Development (PUD) District is established to provide an alternative to the base zoning districts and special zoning districts established in this Ordinance. The PUD district is intended to accomplish the following:
 - i. To permit greater flexibility for new development or redevelopment projects to best utilize the physical features of the particular site in exchange for greater public benefits that would otherwise be achieved through development under this Ordinance.
 - ii. To ensure that any development impact that occur through the use of greater flexibility in development standards and uses are offset by public benefits and any negative impacts are mitigated to the extent feasible so as minimize the impacts on adjoining properties.
 - iii. To encourage the provision and preservation of meaningful and usable open space.
 - iv. To encourage innovative and integrated design of buildings and uses within a larger master planned context of the PUD district.
- b. A planned unit development is established and may be requested on any property within the city. There is no minimum size requirement for property to be considered for a planned unit development or traditional neighborhood development district, except as set forth in the regulations within this section. However, no planned unit development shall be approved where the size of the property is such that the purposes of this article cannot be achieved.
- c. If a planned unit development containing residential uses is proposed in a nonresidential district, the maximum allowable density shall be based on the gross acreage devoted to residential use and shall not include area devoted to nonresidential use. This standard shall not apply in a traditional neighborhood development.
- d. Review Procedures: The review and approval procedures in **Article III: Review Procedures** for a zoning change will apply.

3.6. Traditional Neighborhood Development (TND)

- a. Purpose: The Traditional Neighborhood Development (TND) is intended to develop a master planned and developed pattern of traditional neighborhoods with a mix of residential uses and housing options, including missing middle and pattern zone housing types. Typically incorporates a neighborhood center with mixed uses and serves as a prominent place of social gathering and entertainment in a walkable format. Additional standards per **Article VI: Nonconformities** shall apply.

b. Procedures for the TND will follow [Article III: Review Procedures](#) for zoning and will require a concept plan for the entire development and have minimum and maximum thresholds, as prescribed in [Table 6.8.1: TND Development Standards](#)

Table 6.8.1 TND DEVELOPMENT STANDARDS			
Character Area	Average Site Area	Residential Density Range	Permeable Area
Transition	Up to 40%	Less than 4 DU/AC	70%
Mixed Residential	Up to 60%	4 to 8 DU/AC	25%
Mixed Use - Mixed Residential	Up to 20%	8 to 20 DU/AC	15%
Retail Mixed Use	Up to 20%	No residential density limit	10%
Employment Mixed Use	Up to 20%		10%
MAXIMUM DENSITY EXCEEDED ONLY IF PARKING AND OTHER CRITERIA ARE MET.			

- i. The following table outlines the minimum, maximum and “flexible” development standards per character areas permitted within a TND. It is the responsibility of the developer to create a Master Concept Plan that allocates the character areas, open space, roadway network and a corresponding TND Development Standards Table that sets the limits listed as flexible, as befits the Master Concept Plan.
- ii. All future development plan submittals will be reviewed based upon this Master Concept Plan and its corresponding Development Standards Table and any other TND Development Conditions that are approved for the TND.

TABLE 6.8.2: TND DEVELOPMENT STANDARDS					
Character Area Development Standard	Employment Mixed Use	Retail Mixed Use	Mixed Use – Mixed Residential	Transition	Mixed Residential
1.0 Building and Site Standards					
a. Principal Building Height*	No maximum	No maximum	6 stories or 75' by right	4 stories or 50' (maximum)	3 stories or 40' (maximum)
<i>* Building height shall be measured in number of stories. Habitable attics and mezzanines shall be excluded from the height calculation as long as they do not exceed 50% of the floor area of a typical floor in the same building.</i>					
b. Setback Range**	Setbacks are measured from the edge of right-of-way***				
Front – Pedestrian Priority and Pedestrian Friendly Frontages	Min. Setback = Flexible; Max. Setback = 25'	Min. Setback = 5' - 15'; Max. Setback = 25'	Min. Setback = 5' - 20'; Max. Setback = 30'	Min. Setback = 5' - 20'; Max. Setback = 30'	Min. Setback = 5' - 20'; Max. Setback = 40'
Front – All other street frontages	Min. Setback = 5'; Max. Setback = Flexible	Min. Setback = 5'; Max. Setback = Flexible	Min. Setback = 10'; Max. Setback = Flexible	Min. Setback = 10'; Max. Setback = Flexible	Min. Setback = 10'; Max. Setback = Flexible

TABLE 6.8.2: TND DEVELOPMENT STANDARDS					
Character Area Development Standard	Employment Mixed Use	Retail Mixed Use	Mixed Use – Mixed Residential	Transition	Mixed Residential
Side	Flexible	Flexible	Flexible	Flexible	Flexible
Rear	Flexible	Flexible	Flexible	Flexible	Flexible
**Minimum and/or maximum setback standards shall be proposed by the applicant for each Character Area based on the above criteria and Development Standards established in this TND.					
**Specific standards for curvilinear streets may be proposed.					
*** Where development fronts existing streets the ROW will be set by the Master Streets Plan					
^ Maximum setbacks along Pedestrian Priority and Pedestrian Friendly Frontages that are along improved public space (park, plaza or other civic feature) between the street/sidewalk and building face may exceed the standards established in this table.					
c. Minimum Building Frontage ^c					
Pedestrian Priority or Pedestrian Friendly Frontages	60%	70%	70%	60%	60%
All other Frontages	None required	None required	None required	None required	None required
^Corner building facades at street intersections shall be built to the setback range for a minimum of 30' from the corner along both streets or the width of the corner lot, whichever is less. This standard shall apply to any street intersection with a Pedestrian Priority Frontage designation (even if the cross street has any other frontage designation).					
d. Accessory buildings	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible
Standards for accessory uses and structures shall be provided by the applicant. The standards shall result in accessory buildings being subordinate in size and scale to the principal building. Standards in Article VIII, Development Standards of the UDC shall apply if the applicant does not specifically provide regulations for accessory uses and structures.					
e. Principal building orientation	Buildings shall be oriented to a Pedestrian Priority or Pedestrian Friendly frontage or toward another focal point such as a park, plaza, square, other open space or environmental feature.				
f. Building façade & architectural design standards	The applicant shall propose appropriate building façade and architectural design standards for all the Character Areas in the development with the application for Master Concept Plan. They shall be based on the criteria established in this PD.				
2. Block and Lot Standards					
a. Block Type	Regular (square or rectangular) Irregular blocks may be permitted only if natural topography, existing roadways, and/or vegetation prevents a rectilinear grid			Regular or irregular (square, rectangular, or curvilinear based on topography, existing roadways and vegetation)	
b. Block Perimeter	Max. Block perimeter = 3,000	Max. Block perimeter = 3,000'	Max. Block perimeter = 2,500' (unless limited by unique site conditions such as topography and vegetation)	Max. Block perimeter = 2,000' (unless limited by unique site conditions such as topography and vegetation)	Max. Block perimeter = 2,000' (unless limited by unique site conditions such as topography and vegetation)
c. Pedestrian Priority or Pedestrian Friendly Development Frontage (Frontages along civic/open spaces shall be considered Pedestrian Priority or Pedestrian Friendly development frontage) ^d	Minimum of 25% of all new block frontages to be designated as Pedestrian Priority or Pedestrian Friendly Development Frontage	Minimum of 25% of all new block frontages to be designated as Pedestrian Priority or Pedestrian Friendly Development Frontage	Minimum of 50% of all new block frontages to be designated as Pedestrian Priority or Pedestrian Friendly Development Frontage	Minimum of 25% of all new block frontages to be designated as Pedestrian Priority or Pedestrian Friendly Development Frontage	Minimum of 50% of all new block frontages to be designated as Pedestrian Priority or Pedestrian Friendly Development Frontage
d. Lot Area	Flexible	Flexible	Flexible	Flexible	Flexible
e. Lot Width and Depth	Flexible	Flexible	Flexible	Flexible	Flexible
f. Minimum Lot Mix. Required	No	No	Yes (To be established to get a mix of residential building types)	No	Yes (To be established to get a mix of residential building types)
g. Maximum Lot Coverage	Flexible	Flexible	Flexible	Flexible	Flexible
^ Blocks w/ more than 40% frontage along Major highway or interstates need not meet minimum Pedestrian Priority or Pedestrian Friendly block designation standards so long as they provide the following (i) continuous pedestrian path/trails on the major non-highway/interstate block faces at least 8 feet in width and shaded by trees; (ii) improved pedestrian crossings at all intersections from adjoining blocks even if private service drives; and (iii) utilize at least 5% of the 10% open space requirement for improved pedestrian gathering spaces connected through a continuous walkable environment to any adjoining development within the TND.					

TABLE 6.8.2: TND DEVELOPMENT STANDARDS

Character Area Development Standard	Employment Mixed Use	Retail Mixed Use	Mixed Use – Mixed Residential	Transition	Mixed Residential
3. Street Design Standards (This standard applies to all new streets, public and private, located in the TND)					
Street design standards in the TND shall be based upon creating a safe and inviting walking environment through an interconnected network of roads with sidewalks, street trees, street furniture, and amenities. Cul-de-sacs are prohibited unless natural features such as topography or stream corridors prevent a street connection. The right-of-way widths for streets in the TND shall be based on the palette of street types established in Appendix D. They are based on the ITE's Designing Walkable Urban Thoroughfares manual and NACTO's Urban Street Guide. They may be adjusted based on the specific Master Concept Plan with the approval of the City Engineer. Bicycle facility widths may be modified based on the City's adopted Master Thoroughfare Plan standards.					
a. Design speed	≥30 mph	< 25 mph	< 25 mph	< 25 mph	< 25 mph
c. Travel lane widths	ITE's Designing Walkable Urban Thoroughfares manual or NACTO's Urban Street Design Guide shall guide the development of street design standards and shall be established as part of the MCP with the approval of the City Engineer.				
d. Turning radii					
e. On-street Parking (along all internal streets except alleys)	Permitted	Permitted	Permitted	Permitted	Permitted
• Parallel	Permitted	Permitted	Permitted	Permitted	Permitted
• Angled (head-in or reverse angled).	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted
• Head in perpendicular					
f. Parking lane width	8 feet 18-20 feet	8 feet 18-20 feet	8 feet 18-20 feet	8 feet 18-20 feet	8 feet 18-20 feet
• Parallel	8 feet 18-20 feet	8 feet 18-20 feet	8 feet 18-20 feet	8 feet 18-20 feet	8 feet 18-20 feet
• Angled					
g. Alleys ¹	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible
4. Streetscape Standards					
a. Sidewalks/Trails/Walkways	10 feet (min. Along Pedestrian Priority or Pedestrian Friendly Frontages) 6 feet (minimum along all other streets except alleys)	6 feet (minimum)	6 feet (minimum)	6 feet (minimum)	5 feet (minimum)
b. Planter/Planting Strip Type	Required - Tree wells or Planters	Required - Tree wells or Planters	Required - Tree wells or Planters	Required - Tree wells or Planters	Required - Planters
c. Planter/Planting Strip width	6 feet (min.) Wide tree well or planting strip	6 feet (min.) Wide tree well or planting strip	6 feet (min.) Wide tree well or planting strip	6 feet (min.) Wide tree well or planting strip	6 feet (min.) Wide planting strip
d. Street trees	Required/Flexible	Required/Flexible	Required/Flexible	Required/Flexible	Required/Flexible
The applicant shall submit a proposed street tree planting plan, including a tree palette and spacing as a part of the Landscape Concept Plan, which shall be reviewed as part of the Master Concept Plan and must be approved at time of Master Concept Plan.					
5. Open/Civic Space Standards					
a. Open/Civic Space	Required/Flexible Squares and plazas are appropriate	Required/Flexible Squares and plazas are appropriate	Required/Flexible, Squares and greens are appropriate	Required/Flexible, Squares and greens are appropriate	Required/Flexible, Squares and greens are appropriate
<i>*Overall open/civic space allocations in the TND shall be a minimum of 10% of the gross area of the entire site included in the Master Concept Plan and shall be distributed appropriately between the Character Areas.</i>					
6. Parking & Screening Standards					
a. Off-street parking	The number of off-street parking spaces provided shall be as set forth within Article VII: Use Standards of the UDC. The applicant may provide alternative standards for the quantity of off-street parking proposed (both automobile and bicycle parking) for the TND Character Areas based on an analysis of the parking demand and a transportation management study for the mix of uses proposed and availability of on-street parking in the PD at the time of MCP application. The PD shall regulate the location and design of all proposed off-street parking including any structured parking proposed per Article VIII: Development Standards of the UDC.				
<i>Parking standards in the FBC Zoning District are intended to be flexible due to the mixed-use nature, shared parking opportunities, and availability of on-street parking.</i>					

TABLE 6.8.2: TND DEVELOPMENT STANDARDS									
Character Area Development Standard	Employment Mixed Use	Retail Mixed Use	Mixed Use – Mixed Residential	Transition	Mixed Residential				
b. Off-street loading	Article VIII of the UDC applies unless alternative standards are provided				N/A				
c. Screening									
1. Trash/recycling receptacles	Required/Flexible	Required for non-residential uses Flexible for residential uses (along alleys if alleys are provided)	Required for non-residential uses Flexible for residential uses (along alleys if alleys are provided)	Required for non-residential uses Flexible for residential uses (along alleys if alleys are provided)	Flexible for residential uses (along alleys if alleys are provided)				
2. Other utility equipment	See Article VIII: Development Standards								
3. Loading spaces	Screening required for non-residential uses. Article VIII: Development Standards of the UDC applies for non-residential uses only unless alternative standards are provided								
4. Surface parking areas	Required/Flexible (Article VIII of the UDC shall apply to any surface parking located along any public street with the exception of alleys unless the applicant proposes alternative screening standards at the time of Master Concept Plan.)								
7. Landscape and Streetscape									
a. Landscaping [*]									
1. Landscape buffer between surface parking and sidewalks/trails and streets (except alleys)	Required/Flexible	Required only for non-residential uses	Required only for non-residential uses	Required only for non-residential uses	N/A				
2. Parking lot minimum interior landscaping	Flexible	Flexible	Flexible	Flexible	N/A				
[*] The applicant shall provide a landscape concept plan with the Master Concept Plan application that identifies landscape themes and general design approach addressing street tree planting, streetscape treatments, any required screening, parking lot landscaping, and landscaping proposed in all the identified open space areas. Information provided at the Master Concept Plan phase may be schematic meeting the design intent of the proposed development. Detailed landscaping plans shall be required at the site plan stage for all non-residential development.									
b. Lighting	Required/Flexible (As a part of the Master Concept Plan application, the applicant shall propose lighting standards that includes streetlight standards and other amenities as a part of the streetscape treatment plan. The landscape concept plan may be combined with a concept plan for lighting.)								
1. Street Lighting									
2. Building entrances									
3. Parking areas, trails, and streets									
8. Signs									
Flexible (Flexible signage in the TND may be proposed by the applicant and approved by the Planning Commission as part of the Master Concept Plan application or as a separate Master Sign Plan. Signage in the TND shall integrate the streetscape and architectural design of the district through a palette of signs that enhance the pedestrian environment and create a unique identity. If no standards are proposed by the applicant, standards in Article VIII of the UDC shall apply.)									

3.7. Conservation Subdivision Development

a. Purpose:

- i. The Conservation Subdivision Development (CSD) is intended to encourage the preservation of natural land, storm water, flood plains and riparian corridors in and near the City of Claremore.
- ii. The CSD district may be used to develop clusters of housing on shared infrastructure to preserve the remaining area in land preservation.
- iii. The CSD area is intended to include variable types of residential, agriculture and other ancillary uses compatible in these categories. Multi-family residential and employment uses are permitted in limited amount and only if directly adjacent to an arterial corridor.

iv. CSDs are generally between 5 and 20 acres in size, but there is no maximum size restriction.

b. Standards for Conservation Subdivision Design

i. Determining Density

1. Applicants shall have the option of estimating the legally permitted density up to a basis of 1 DU/AC, or on the basis of a "yield plan." Such yield plans consist of conventional lot and street layouts and must conform to the City's regulations governing lot dimensions, land suitable for development (for example, not including floodplains or land exercising a Flood Plain Permit, unless Army Corp of Engineers has approved a Letter of Map Revision to bring the land out of the floodplain), street design, and parking. Although such plans shall be conceptual in nature, and are not intended to involve significant engineering costs, they must be realistic and must not show potential house sites or streets in areas that would not ordinarily be legally permitted in a conventional layout.
2. In order to prepare a realistic yield plan, applications generally need to first map the Primary Conservation Areas on their site. Typical yield plans would include, at minimum, basic topography, location of wetlands, 100-year floodplains, slopes exceeding 25%, and soils subject to slumping, as indicated on the medium-intensity maps contained in the county soil survey published by the USDA Natural Resources Conservation Service.
3. On sites not served by public sewer or a centralized private sewage treatment facility, or within 150 ft of public sewer, soil suitability for individual septic systems shall be demonstrated. City staff shall select a small percentage of lots (10 to 15%) to be tested, in areas considered to be marginal. If tests on the sample lots pass the percolation test, the applicant's other lots shall also be deemed suitable for septic systems, for the purpose of calculating total lot yield. However, if any of the sample lots fail, several others (of the City's choosing) shall be tested, until all the lots in a given sample pass. ODEQ standards for septic systems shall apply.

c. Density Incentives

i. To Encourage Public Access

1. Dedication of land for public use, including trails, active recreation, municipal spray irrigation fields, etc., may be encouraged by the Administrator to offer a density bonus for this express purpose. All

dedications shall still be maintained by the property owner or HOA unless an agreement is made with the City of Claremore.

2. The density bonus for open space that would be in addition to the 10% public land dedication, shall be computed on the basis of a maximum of one dwelling unit per 5 acres (0.2 DU/AC) of publicly accessible open space.
3. The decision whether to accept an applicant's offer to dedicate open space for public access shall be at the discretion of the Administrator, who shall be guided by the recommendations contained in the City's Parks Master Plan, particularly those sections dealing with trail networks and/or recreation facilities.

ii. To Encourage Affordable Housing

1. A density increase is permitted where the conservation subdivision proposal provides on-site or off-site housing opportunities for low- or moderate- income families. The amount of the density increase shall be based on the following:
 - a. For each affordable housing unit provided under this section, one additional building lot or dwelling unit shall be permitted, up to a maximum 15% increase in number of dwelling units.
 - b. Affordable housing is herein defined as units to be sold or rented to families earning 60 to 12 percent of the county median income, adjusted for family size, as determined by the U.S. Department of Housing and Urban Development.

d. Minimum Percentage of Open Space

- i. The minimum percentage of land that shall be designated as permanent open space, not to be further subdivided, and protected through a conservation easement held by the City or by a recognized land trust or conservancy, shall be as specified below:
 1. A minimum of fifty percent (50%) of the total tract area, after deducting the following kinds of unbuildable land:
 - a. Wetlands and land that is generally inundated;
 - b. All floodway and floodway fringe (riparian areas) within the 100-year floodplain, as shown on official FEMA maps;
 - c. Land with slopes exceeding 25%, or soils subject to slumping;
 - d. Land required for street rights of way; and/or

- e. Land under permanent easement prohibiting future development.
2. These areas shall generally be designated as undivided open space, to facilitate easement monitoring and enforcement, and to promote appropriate management by a single entity according to approved land management standards.
3. All undivided open space and any lot capable of further subdivision shall be restricted from further subdivision through a permanent conservation easement, in a form acceptable to the City and duly recorded with the County Clerk.
4. At least twenty-five percent (25%) of the minimum required open space shall be suitable for active recreation purposes, but no more than fifty percent (50%) shall be utilized for that purpose, in order to preserve a reasonable proportion of natural areas on the site. The purposes for which open space areas are proposed shall be documented by the applicant.
5. The required open space may be used, without restriction, for underground drainage fields for individual or community septic systems, and for "spray fields" for spray irrigation purposes in a "land treatment" sewage disposal system. However, "mound" systems protruding above grade and aerated sewage treatment ponds shall be limited to no more than ten percent (10%) of the required minimum open space.
6. Stormwater management ponds or basins may be included as part of the minimum required open space, as may land within the rights-of-way for underground pipelines. However, land within the rights-of-way of high-tension power lines shall not be included as comprising part of the minimum required open space.

ii. Location of Open Space

1. The location of open space conserved through compact residential development shall be consistent with the policies contained in the Claremore's Comprehensive Plan and with recommendation contained in this section and following section (Evaluation Criteria).
2. Open space shall be comprised of two types of land: "Primary Conservation Areas" and "Secondary Conservation Areas." All lands within both Primary and Secondary Conservation Areas are required to be protected by a permanent conservation easement, prohibiting further development, and setting other standards safeguarding the site's special resources from negative changes.

3. Primary Conservation Areas
4. This category consists of wetlands, lands that are generally inundated (under ponds, lakes, creeks, etc.) Land within 100-year floodplain, slopes exceeding 25%, and soils subject to slumping. These sensitive lands are deducted from the total parcel acreage to produce the "Adjusted Tract Acreage," on which density shall be based.
5. Secondary Conservation Areas
 - a. In addition to the Primary Conservation Areas, at least 50% of the remaining land shall be designated and permanently protected.
 - b. Full density credit shall be allowed for land in this category that would otherwise be buildable under local, state and federal regulations, so that the development potential is not reduced by this designation. Such density credit may be applied to other unconstrained parts of the site.
 - c. The location of Secondary Conservation Areas shall be guided by the maps and policies contained in the comprehensive plan and shall typically include all or part of the following kinds of resources: mature woodlands, aquifer recharge areas, areas with highly permeable (excessively drained) soil, significant wildlife habitat areas, historic sites, prime farmland, historic, archaeological or cultural features listed (or eligible to be listed) on national, state or county registers or inventories, and scenic views into the property from existing public roads. Secondary Conservation Areas therefore typically consist of upland forest, meadows, pastures, and farm fields, parts of the ecologically connected matrix of natural areas significant for wildlife habitat, water quality protection, and other reasons. Although the resource lands listed as potential Secondary Conservation Areas may comprise more than half of the remaining land on a development parcel (after Primary Conservation Areas have been deducted), no applicant shall be required to designate more than 50% of that remaining land as a Secondary Conservation Area.
6. General Locational Standards
 - a. Subdivisions and planned residential developments shall be designed around both the Primary and Secondary

Conservation Areas, which together constitute the total required open space. The design process should therefore commence with the delineation of all potential open space, after which potential house sites are located. Following that, access road alignments are identified, with lot lines being drawn in as the final step. This stepped design process is further described in this section.

- b. Both Primary and Secondary Conservation Areas shall be placed in undivided preserves, which may adjoin housing areas that may be enjoyed equally by all residents of the development.
- c. Undivided preserves shall be directly accessible to the largest practicable number of lots within a conservation subdivision. To achieve this, the majority of house lots should abut undivided open space in order to provide direct views and access. Safe and convenient pedestrian access to the open space from all lots not adjoining the open space shall be provided (except in the case of farmland, or other resource areas vulnerable to trampling damage or human disturbance). Where the undivided preserves is designated as separate, noncontiguous parcels, no parcel shall consist of less than three (3) acres in area nor have a length-to-width ration in excess of 4:1, except such areas that are specifically designated as village greens, ballfields, upland buffers to wetlands, waterbodies or watercourses, or trail links.

7. Interconnected Open Space Network

- a. As these policies are implemented, the protected open spaces in each new subdivision will eventually adjoin each other, ultimately forming an interconnected network of Primary and Secondary Conservation Areas across the City. To avoid the issue of the “taking of land without compensation,” the only elements of this network that would necessarily be open to the public are those lands that have been required to be dedicated for public use, never more than 10% of a development parcel’s gross acreage, and typically configured in a linear fashion as an element of the City’s long-range open space network.

e. Evaluation Criteria

- i. In evaluating the layout of lots and open space, the following criteria will be considered by the Planning Commission as indicating design appropriate to the site's natural, historic, and cultural features, and meeting the purposes of this section. Diversity and originality in lot layout shall be encouraged to achieve the best possible relationship between development and conservation areas. Accordingly, the Planning Commission shall evaluate proposals to determine whether the proposed conceptual preliminary plan:
 1. *Protects and serves all floodplains, wetlands, and steep slopes* from clearing, gradings, filling, or construction (except as may be approved by the City for essential infrastructure or active or passive recreation amenities).
 2. *Preserves and maintains mature woodlands, existing fields, pastures, meadows, and orchards, and creates sufficient buffer areas* to minimize conflicts between residential and agricultural uses. For example, locating house lots and driveways within wooded areas is generally recommended, with two exceptions.
 - a. The first involves significant wildlife habitat or mature woodlands that raise an equal or greater preservation concern, as described in items #5 and #8 below.
 - b. The second involves predominantly agricultural areas, where remnant tree groups provide the only natural areas for wildlife habitat.
 3. *If development must be located on open fields or pastures because of greater constraints in all other parts of the site*, dwellings should be sited on the least prime agricultural soils, or in locations at the far edge of a field, as seen from existing public roads. Other considerations include whether the development will be visually buffered from existing public roads, such as by a planting screen consisting of a variety of indigenous native trees, shrubs, and wildflowers.
 4. *Maintains or creates an upland buffer* of natural native species vegetation of at least 50 feet in depth adjacent to wetlands and surface waters, including creeks, streams, springs, lakes and ponds.
 5. *Designs around existing hedgerows and tree lines between fields or meadows and minimizes impacts on large woodlands* (larger than 5 acres), especially those containing many mature trees or a significant wildlife habitat, or those not degraded by invasive vines. Also, woodlands of any size on highly erodible soils with slopes greater than 10% should be avoided. However, woodlands in poor

condition with limited management potential can provide suitable locations for residential development. When any woodland is developed, great care shall be taken to design all disturbed areas (for buildings, roads, yards, septic disposal fields, etc.) In locations where there are no large trees or obvious wildlife areas, to the fullest extent that is practicable.

6. *Leaves scenic views and vistas unblocked or uninterrupted, particularly as seen from public thoroughfares.*
7. *Avoids siting new construction on prominent hilltops or ridges, by taking advantage of lower topographic features.*
8. *Protects wildlife habitat areas of species listed as endangered, threatened, or of special concern by the U.S. Environmental Protection Agency.*
9. *Designs around and preserves sites of historic, archaeological, or cultural value, and their environs, insofar as needed to safeguard the character of the feature, including stone walls, spring houses, barn foundations, cellar holes, earthworks, and burial grounds.*
10. *Protects rural roadside character and improves safety and vehicular carrying capacity by avoiding development fronting directly onto existing public roads. Establishes buffer zones along the scenic corridor of rural roads with historic buildings, stone walls, hedgerows, etc.*
11. *Landscapes common areas (such as community greens), cul-de-sac islands, and both sides of new streets with native species shade trees and flowering shrubs with high wildlife conservation value. Deciduous shade trees shall be planted at forty-foot intervals on both sides of each street, so that the neighborhood will have a stately and traditional appearance when they grow and mature. These trees shall generally be located between the sidewalk or footpath and the edge of the street, within a planting strip not less than five feet in width.*
12. *Provides active recreational areas in suitable locations that offer convenient access by residents and adequate screening from nearby house lots.*
13. *Includes a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, between properties and activities or special features within the neighborhood open space system. All roadside footpaths should connect with off-road trails, which in turn should like with*

potential open space on adjoining undeveloped parcels (or with existing open space on adjoining developed parcels, where applicable.)

14. *Provides open space that is reasonably contiguous.* To the greatest extent practicable, this land shall be designed as a single block with logical, straightforward boundaries. Long, thin strips of conservation land shall be avoided, unless the conservation feature is linear or unless such configuration is necessary to connect with other streams or trails. The open space shall generally abut existing or potential open space land on adjacent parcels (such as in other subdivisions, public parks, or properties owned by or leased to private land conservation organizations). Such subdivision open space shall be designed as part of larger contiguous and integrated greenway systems, as per the comprehensive plan.

f. Site Planning Procedures for Conservation Subdivisions

i. General

1. Process Overview: The sequence of actions prescribed in this section is as listed below. These steps shall be followed sequentially and may be combined only at the discretion of the Administrator:
 - a. Pre-development discussion
 - b. Existing Features Plan
 - c. On-site walking tour by City Staff and applicant
 - d. Pre-submission conference
 - e. Concept Plan
 - f. Preliminary Plan submission, determination of completeness, review of overall planning concepts and decision
 - g. Preliminary engineering certification
 - h. Final plan submission, determination of completeness, review, and decision
 - i. Signatures
 - j. Recording and County Clerk

ii. Elements of the Preliminary Plan Process

1. Pre-development Discussion: A pre-development discussion is strongly encouraged between the application, the site designer(s),

and the Administrator. The purpose of this informal meeting is to introduce the applicant and the site designer(s) to the City's zoning and subdivision regulations and procedures, and to discuss the applicant's objectives in relation to the City's official policies and ordinance requirements. The City may designate a consultant experienced in development design and in the protection of natural features and greenway lands to meet with the application and to attend or conduct meetings required under this section.

2. Existing Features Plan: Plans analyzing each site's special features are required for all proposed subdivisions, as they form the basis of the design process for greenway lands, house locations, street alignments, and lot lines. The applicant or their representative shall submit a copy for use during site tours and subsequent review of submissions.
3. Site tour, After the existing features plan has been submitted, the Administrator or their designee shall schedule a mutually convenient date to tour the property with the applicant and their designer. The purpose of this visit is to familiarize City staff with the property's special features, and to provide them an informal opportunity to offer guidance to the applicant regarding areas for conservation and potential development locations and street alignments.
4. Pre-Submission Conference: Prior to the submission of the Concept Plan, the applicant shall meet with the Administrator to discuss how the four-step design process is being applied on the site.
5. Concept Plan. A preliminary plan to illustrate a four-step process to designing the conservation subdivision:
 - a. Designating the open space into Primary and Secondary Conservation Areas.
 - b. Locating development sites
 - c. Street and lot layout
 - d. Apply lot lines
6. Preliminary Engineering Certification: Prior to approval of the Concept Plan, the applicant shall submit to the Administrator a "Preliminary Engineering Certification" that the approximate layout of proposed streets, lots, and open space lands complies with the City's Unified Development Code and Design Criteria Manual, particularly those sections governing the design of subdivision

streets and stormwater management facilities. This certification requirement is meant to provide the City with assurance that the proposed plan is able to be accomplished within the current regulations of the City. The certification shall also note any waivers needed to implement the plan as drawn.

g. Ownership and Maintenance of Open Space

i. General

1. Different ownership and management options apply to the permanently protected open space created through the development process. The open space shall remain undivided and may be owned and managed by a homeowners' association, the City, or a recognized land trust or conservancy.

- a. In low-density rural subdivisions with ten or more acres per dwelling, all or part of the required open space may be located within the individual residential lots.
- b. A public land dedication, not exceeding 10% of the total parcel size, may be required by the City, through this open space, to facilitate trail connections. A narrative describing ownership, use and maintenance responsibilities shall be submitted for all common and public improvements, utilities, and open spaces.

ii. Ownership Standards: Common open space within a development shall be owned, administered and maintained by any of the following methods, either individually or in combination, and subject to approval by the City.

1. Offer of Dedication. The City shall have the first and last offer of dedication of undivided open space in the event said land is to be conveyed. Dedication shall take the form of a fee simple ownership. The City may, but shall not be required to accept undivided open space provided:

- a. Such land is accessible to the residents of the City;
- b. There is no cost of acquisition other than any costs incidental to the transfer of ownership such as title insurance; and
- c. The City agrees to and has access to maintain such lands.

2. Where the City accepts dedication of common open space that contains park improvements (such as playgrounds, water fountains, parking lots, etc.), the City may require the posting of financial security to ensure structural integrity of said

improvements as well as the functioning of said improvements for a term not to exceed eighteen (18) months from the date of acceptance of dedication. The amount of financial security shall not exceed fifteen percent (15%) of the actual cost of installation of said improvements.

3. Homeowners' Association: The undivided open space and associated facilities may be held in common ownership by a homeowners' association. The association shall be formed and operated under the following provisions:
 - a. The developer shall provide a description of the association, including its bylaws and methods for maintaining the open space.
 - b. The associations shall be organized by the developer and shall be operated with a financial subsidy from the developer, before the sale of any lots within the development.
 - c. Membership in the association is mandatory for all purchasers of homes therein and their successors. The conditions and timing of transferring control of the association from developer to homeowners shall be identified.
 - d. The association may lease open space lands to any other qualified person, or corporation, for operation and maintenance of open space lands, including operations of existing farmland.
4. Condominiums agreement
5. Dedication of easements
6. Transfer of easements to a Private Conservation Organization

iii. Maintenance Standards

1. The ultimate owner of the open space shall be responsible for raising all monies required for operations, maintenance, or physical improvements to the open space.
2. In the event that the owner or any successor organization shall fail to maintain the undivided open space in reasonable order and condition in accordance with the development plan, the City may serve written notice upon the owner of record, setting forth the manner in which the owner of record has failed to maintain the undivided open space in reasonable condition.

3. Upon notice of failure to maintain, remedy must be recorded within twenty (20) days.
4. The City shall have the right to fine, assess or place liens in line with current enforcement law for costs incurred to remedy the failure to maintain the property and take action to reclaim costs from the owner of record.

4. Pattern Zones

4.1. General Conditions for Pre-Permitted Projects

- a. Applicability. Pre-permitted development projects must comply with these site conditions to receive an expedited combined site development and building permit. Projects which do not conform to these guidelines may be permitted through a conventional review process if they meet all other requirements of the Unified Development code. Where a conflict exists between the Unified Development Code and these General Conditions, these General Conditions control.
- b. Purpose and intent. These facilitate faster design and review process, while also having additional lot coverage allowances and do not require special use permits to construct and operate.
- c. Documentation. A site plan with annotations showing how each of these conditions is being met shall be submitted by the development applicant. The site plan shall use a certified boundary survey as a basemap.
- d. Variability
 - i. One per parcel, except accessory structures. No more than one pattern building may be located on any parcel, except for access. Pattern buildings constructed as accessory structures do not count against this limitation.
 - ii. Variation-on-a-theme. Any contiguous set of three or more parcels or a collection of three or more lots on a block face with pattern buildings shall include at least three distinct variants.
- e. Parking
 - i. Minimum parking required. For primary structure, at least one parking space shall be constructed for each bedroom.
 - ii. On-street parking counts. On-street street parking spaces may be constructed with new projects where sufficient right-of-way exists. On-street parking spaces shall be counted toward the required parking minimums.
 - iii. Parking location. Off-street parking spaces shall not be constructed between a building and the street it faces. They may only be located to the side or to the rear of the primary structure or on the street.
 - iv. Driveway width. In general, the maximum driveway width is 12 feet. When constructed for common access such as a shared driveway between two dwellings or parcels, the maximum width is 18 feet. When constructed for access to a building serving eight or more units, the maximum width is 20

feet. Maximum curb cut radius is 10' on streets which aren't arterials.

- v. Driveway and parking materials. Past the sidewalk, driveways and parking areas may be constructed with brown crushed stone which has been washed. They shall not be constructed with road base, limestone gravel, or pea gravel.
- vi. Cross-access required. A cross-access easement is required when driveways and parking areas are shared among the inhabitants of abutting parcels. When a subdivision of a parent tract is associated with the project, the number of curb cuts shall be minimized and access to parking facilities shall be designed for use in common by the project's future users.

f. Pedestrian facilities

- i. Sidewalk required. Where no sidewalk exists on the same side of the street, a new sidewalk shall be constructed with a minimum width of 5 feet. If the new sidewalk abuts the back of the curb, then the minimum width is 6.5'. When right-of-way width is too narrow to construct a sidewalk on the same side of the street as the project, city staff may require sidewalk to be constructed on the other side of the street or waive this requirement.
- ii. Sidewalk and driveway interface. Sidewalks may have changes in elevation to meet ADA standards.
- iii. Pedestrian-oriented entry. Each principal building shall have a clear and dedicated route from the right of way to the its primary entrance.

g. Street trees

- i. Street trees required. One street tree per 25' of lot width is required, round up or down normally.
- ii. Street tree location. Trees shall be planted in the ROW between the curb and the sidewalk. If underground utilities prevent planting in that location, then they shall be planted within 2' to 4' of the sidewalk. When possible, trees should be placed to frame the view of the entry from the street, or in a line with the boundary shared by two abutting parcels.
- iii. Existing trees counted. Existing trees within 10' of the sidewalk may be counted towards this requirement if they are protected during construction.

h. Lot dimensions and setbacks

- i. Side and rear setbacks. The underlying zoning code or 5', whichever is less.
- ii. Front build-to-zone. The primary façade shall not be placed farther from the street than the average of other nearby structures. It may be placed up to 10 feet closer to the sidewalk. The front build-to zone shall be varied by staff when necessary to make space to place parking in the rear yard.
- iii. Minimum parcel dimensions. The minimum lot area and lot width are the same as the underlying zoning designation or the minimum dimensions in the lot diagrams within the Pattern Book, whichever is greater.

i. Trash and recycling

- i. Container location. Trash and recycling containers shall be stored in a

designated area to the side or the rear of the building. Buildings with four units or less shall not be serviced by dumpsters, unless service is aggregated among multiple parcels.

j. Variances

- i. Exemptions require conventional review. In general, variances from these guidelines are not permitted except for those changes noted in the pre-approved sets of construction details. In general, requesting exemptions from these site design criteria or proposing changes to the architectural design of the buildings will require a conventional project review and require a Special Exception process.

k. Excluded site conditions.

- i. Flood and stormwater regulations apply. Pattern zone doesn't eliminate floodplain, floodway regulations, or other stormwater regulations.

I. Uses

- i. Commercial uses limited by zoning. Pattern buildings which include a commercial format, such as the walkup, cannot be used for commercial purposes unless the zoning allows it. Home occupations are permitted in accordance to base zoning.
- ii. Residential uses allowed according to associated map. Pattern buildings which contain only a residential use may be constructed where indicated on the Pre-Approval Maps maintained by the planning officer.

FIGURE 2 WALKUPS PARKING ACCESS

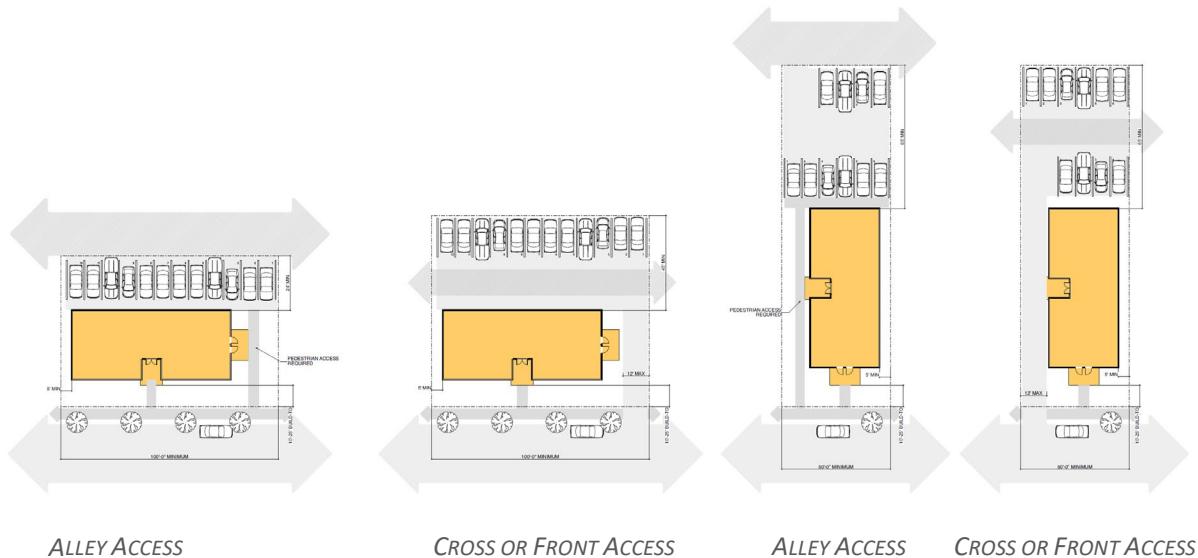
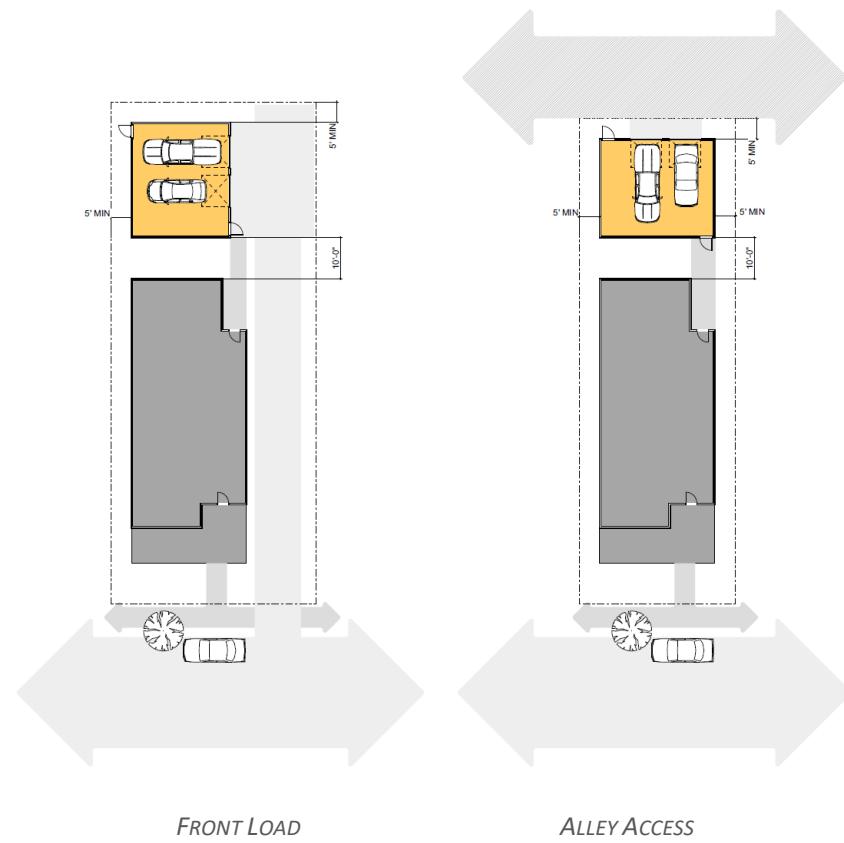
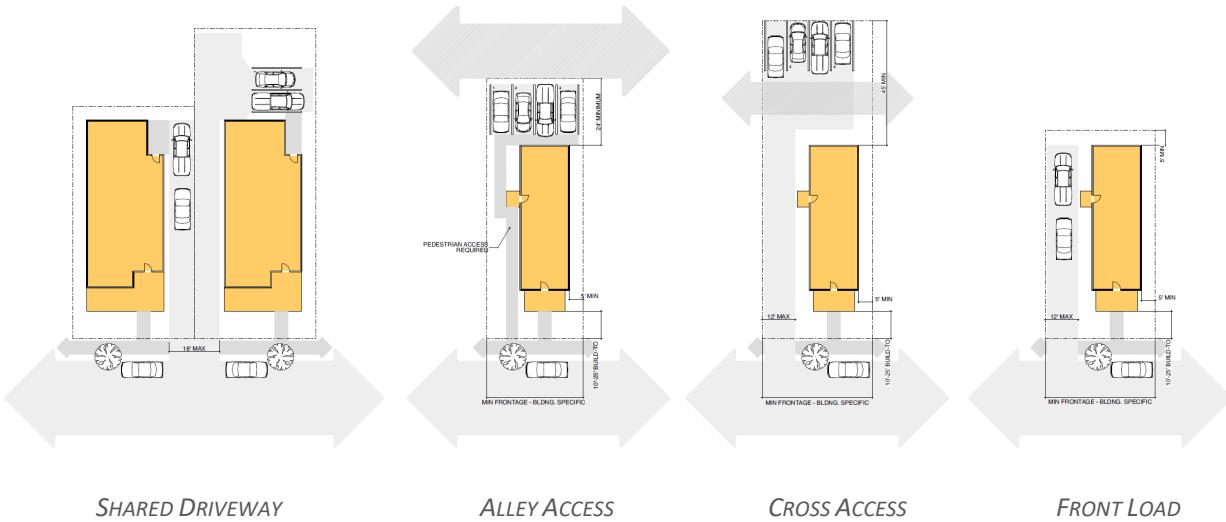


FIGURE 3 DOUBLE COTTAGE PARKING ACCESS**FIGURE 4 COTTAGE/CAB/FLEX PARKING ACCESS**

Article VII – Use Standards

1. Table of Allowed Uses

1.1. Purpose

- a. [Table 7.1: Allowed Uses](#) below lists the uses allowed within all zoning districts.
- b. [Table 7.2 : Special District Allowed Uses](#) lists the uses allowed within all special districts.
- c. Accessory and temporary uses are summarized in [Table 7.3 Accessory Uses and Structures](#), [Table 7.4 Special District Accessory Uses and Structures](#), and [Table 7.5 Temporary Uses and Structures](#).
- d. All uses are defined in [Article XI: Definitions](#).
- e. Approval of a use listed in this article, and compliance with the applicable use-specific standards for that use, authorizes that use only.
- f. Development or use of a property or structure for any other use not specifically allowed in this article and approved under the appropriate process is prohibited.

1.2. Explanation of Use Table Abbreviations

- a. Permitted by-right uses: "P" in a cell indicates that the use is permitted by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this Ordinance, including the supplemental use standards in this article and the requirements of [Article VIII: Development Standards](#).
- b. Uses requiring a specific use permit: "S" in a cell indicates that, in the respective zoning district, the use is allowed only if issued a Specific Use Permit, in accordance with the procedures of [Article III Review Procedures](#). Uses requiring a Specific Use Permit are subject to all other applicable regulations of this Ordinance, including the supplemental use standards in this article and the requirements of Article VIII: Site Design and Development Standards.
- c. Prohibited uses: A blank cell indicates that the use is prohibited in the respective zoning district.
- d. Additional use standards: Regardless of whether a use is allowed by right, or permitted with a Specific Use Permit, there may be supplemental standards that are applicable to the use. The applicability of these standards is noted through a cross-reference in the last column of the table. An asterisk [*] in a cell indicates that the use, whether permitted by right or as a special use, is permitted subject to additional use standards in that district. Cross-references refer to Additional Use Standards, Additional Accessory Use Standards, and Additional Standards for Temporary Uses and Structures.

- e. Allowed land uses in planned development districts: Land uses in a Planned Development district are permitted as follows:
 - i. If the PD Concept Plan specifically references a base zoning district:
 1. Any land use permitted by right in the applicable underlying base zoning district, as amended, may be permitted.
 2. Any land use requiring a Specific Use Permit in the applicable underlying base zoning district, as amended, is only allowed if a Specific Use Permit is issued for the use.
 3. Any land use prohibited in the underlying base zoning district, as amended, is also prohibited in the PD district unless it is specifically added as part of the PD conditions.
 - ii. The PD district may list the permitted, prohibited, and Specific Use Permit uses separately.
 - iii. A combination of the above.

1.3. Use Table Organization

- a. In the table, land uses and activities are classified into general "use categories" and specific "use types" based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.
- b. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts.
- c. This classification does not list every use or activity that may appropriately exist within these use categories, and specific uses may be listed in one category when they may reasonably have been listed in one or more other categories.
- d. The use categories are intended merely as an indexing tool and are not regulatory.

1.4. Classification of New and Unlisted Uses

- a. The city recognizes that new types of land uses will arise, and forms of land use not anticipated in this Ordinance may seek to locate in the city. When application is made for a use category or use type that is not specifically listed in the appropriate use table, the Administrator shall make a determination as to the appropriate classification of any new or unlisted form of land use in the following manner:
 - i. The Administrator shall provide an interpretation as to the zoning classification into which such use should be placed. In making such interpretation, the Administrator shall consider all

relevant characteristics of the proposed use, including but not limited to the following:

1. The actual or projected characteristics of the proposed use
2. The volume and type of sales, retail, wholesale, etc. For commercial uses
3. The size and type of items sold and nature of inventory on the premises
4. The type and number of customers and employees
5. The hours of operation
6. The size and arrangement of buildings and parking on the site
7. The amount of parking needed and estimate of trips generated by the proposed use
8. Any processing done on the premises, including assembly, manufacturing, warehousing, shipping, distribution
9. Any dangerous, hazardous, toxic, or explosive materials used in the processing
10. The nature and location of storage and outdoor display of merchandise, whether enclosed, open, inside or outside the principal building; predominant types of items stored (such as business vehicles, work-in-process inventory and merchandise, construction materials, scrap and junk, and raw materials including liquids and powders)
11. The amount and nature of any nuisances generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, radiation, and fumes
12. Any special public utility requirements for serving the proposed use type, including but not limited to water supply, wastewater output, pre-treatment of wastes and emissions required or recommended, and any significant power structures and communications towers or facilities
13. The effect on adjacent properties created by the proposed use type, which should not be greater than that of other use types in the zoning district

ii. Standards for new and unlisted uses may be interpreted as those of a similar use.

- iii. Appeal of the Administrator's decision shall be made to the Board of Adjustment following procedures of Article III, Zoning Variances and Appeals.
- iv. The Administrator may periodically request amendments to this Ordinance to incorporate newly listed uses into Article VII: Use Standards and Article XI: Definitions.

TABLE 7.1 : Allowed Uses

City of Claremore
P = Permitted, P = Permitted with design criteria, P+ = Permitted along Will Rogers Corridor, S = Special Use Permit required, (blank) = Not Permitted*

	Residential								Office/Commercial				Industrial		
	AG	RE	R-SF 10	R-SF 5	MX	MF-1	MF-2	RMH	O	EC	NC	RC	LI	HI	
Residential and Lodging Uses															
Hotel								P		P	P	S	P	P	P
Bed and Breakfast	P	P													
Multi-Family Residential - Ground Floor					P	P	P								
Multi-Family Residential - Upper Floor					P	P	P								
Group Home					S	S	S		S						
Retirement, Nursing Home, Continuing Care, Assisted Living	S	S	S	S	P	P	P		S						
Multi-Unit Home					P	P	P								
Single-Family Residential, attached dwelling unit (townhomes)/ patio home, duplex					P	P	P								
Dwelling, Live/Work					P*	P*	P*								
Single-Family Residential, Detached	P	P	P	P	S										
Manufactured Housing	P	S						P							
Transitional Housing					S	S	S								
Accessory Building or Structure, see Table 7.3	P*	P*	P*	P*	P*	P*	P*								
Accessory Dwelling Unit															
Institutional Uses (Educational, Public Administration, Health Care, Etc.)															
Public Administration Uses (Including local, State, and Federal Government Uses, Public Safety, Health, Human Services, and penitentiary)	P	S	S	S	S	S	S	S	P	P	P	P	P	P	P
Universities, colleges, technical, trade, and specialty schools	S				S	S	S		S	S	S	S	S	S	
Schools, Libraries, Community/Civic Facilities and Religious Institutions	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Social, Fraternal and Philanthropic Organizations						P	P		P	P	P	P	P	P	
Child Day Care and Preschools	S	S	S	S		P	S		S		S				
Hospitals & Clinics	S								P		P	P			

Business Associations and Professional Organizations									P	P	P	P	P	
Funeral Homes									S	S	P	P		
Manufacturing, Transportation, Communication, and Utility Uses														
Auto Service Establishment including gas stations									S		S	P	P	P
Brewery, Distillery and Winery	S								S	S	P	P		P
Commercial Food, Textile and Product Manufacturing											S	P		P
Electrical Substations	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Heavy Manufacturing (that may produce hazardous waste)														S
Mini-Storage											S	P		P
Miscellaneous Light Manufacturing	S								S		S	P		P
Transportation Services (air, rail, road, truck and freight)	S								S	S	S	S		S
Telecommunications and Broadcasting (Radio, TV, Cable, Wireless Communications, Telephone, Etc.)	S	S					S		S	S	S	S		P
Utilities and Utility Services (Electric, Natural Gas, Alternative Energy)	S	S					S		S	S	S	S	P	P
Wholesale Trade Establishment/ Warehouse and Storage Services	S											P		P
Commercial Uses (Office, Retail, Sales and Service Uses)														
Art, Antique, Museum, Furniture or Galleries (retail, repair or fabrication; excludes auto or electronics sales or service)									P	P	P	P	P	
Auto-Related Sales Establishments											S	P		P
Finance, Insurance, and real estate establishments (including banks, credit unions, and property management services, with no drive through facility)									P	P	P	S		
Fitness, recreational sports, gym, athletic club, dance or yoga studio									P	P	P	P	P	

Food service uses such as full-service restaurants, cafeterias, bakeries catering and snack bars <i>with no drive through facilities.</i>					P	S	P		P	P	P	P	P	P	P
Offices for business, professional, administrative, and technical services such as accountants, architects, lawyers, doctors, etc.	P				P				P	P	P	P	P		P
Pet and animal sales or service, <i>including outside kennels</i>	P										S	S			
Pet and animal sales or service, <i>with no outside kennels</i>	P								S	S	P	P	P		
Retail sales or service	P				P		P		P	P	P	P			
Theater, cinema, or music venue									P	P	P	P	P		P
Cannabis Sales (Dispensary)											P	S	S		
Cannabis Manufacturing (Processing)											S	P	P		
Commercial Stable	P	S									S	P	P		
Golf Course	S	S					S		S	S	S	S	S		S
Personal Service (Including Beauty Shop, Barber Shop)									P		P	P	P		P
Tattoo Parlor										S	S				
Spa or massage establishment									S		S	S	S		
Pawn Shop, Alternative Finance Institution, Plasma Donation Center									S		S	S	S		
Any Commercial use with outdoor storage	P*									P*	P*	P*	P*		P*
Any Commercial use with drive-thru facilities									P*	P*	P*	P*			P*

Other Uses

Food trucks, food truck parks									P	P	P				
Home Occupations	P	P	P	P	P	P	P	P				S			
Parking, Structured									S	S	S	S	S	S	
Temporary use, surface parking lot									S	S	S	S	S	S	S
Parking as a primary use											S				S
RV Parks	P*	P*						P*							
Cemetery	S	S	S		S	S				S	S	S			
Sexually Oriented Business															S

Agriculture Related Uses

Cannabis – Agriculture	P											P		P	
Greenhouse/Nursery	S	S	S	S						S	P	P		P	

Innovative Agriculture	P	P								P	P
Agricultural Cultivation or Urban Agriculture	P	P			S	P		S	S		
Agricultural Grazing/Ranching	P						S	S	S	S	

TABLE 7.2: Special District Allowed Uses

P = Permitted, **P*** = Permitted with design criteria, **P+** = Permitted along Will Rogers Corridor,
S = Special Use Permit required, **(blank)** = Not Permitted

	Special Districts			
	DT	OT	WR	WB
Residential and Lodging Uses				
Hotel	P	P	P	P
Bed and Breakfast (Short Term Rentals)	P	P	P	P
Multi-Family Residential - Ground Floor	P*	P+	P*	P*
Multi-Family Residential - Upper Floor	P	P+	P	P
Group Home	P*	S	P*	P*
Retirement, Nursing Home, Continuing Care, Assisted Living	P	P	P	P
Multi-Unit Home	P	P	P	P
Single-Family Residential, attached dwelling unit (townhomes)/ patio home, duplex	P	P	P	P
Single-Family Residential, Detached	P	P	P	P
Manufactured Housing				
Transitional Housing	S	S	S	S
Accessory Building or Structure, See Table 7.3	P*	P*	P*	P*
Accessory Dwelling Unit	S	S	S	S
Pattern Zone – Pre-approved Buildings	Permitted according to Pattern Zone Maps			
Institutional Uses (Educational, Public Administration, Health Care, Etc.)				
Public Administration Uses (Including local, State, and Federal Government Uses, Public Safety, Health, Human Services, and penitentiary)	P	P	P	P
Universities, colleges, technical, trade, and specialty schools	P	P	P	P
Schools, Libraries, Community/Civic Facilities and Religious Institutions	P	P	P	P
Social, Fraternal and Philanthropic Organizations	P	P	P	P
Child Day Care and Preschools	P	P	P	P
Hospitals & Clinics	P	P	P	P
Business Associations and Professional Membership Organizations	P	P	P	P
Funeral Homes	S	S	S	S
Manufacturing, Transportation, Communication, and Utility Uses				
Auto Service Establishment including gas stations	P*	P*	P*	P*
Brewery, Distillery and Winery	P	P	P	P
Commercial Food, Textile and Product Manufacturing	P*	S	P*	P*
Electrical Substations	P	P	P	P
Heavy Manufacturing (that may produce hazardous waste)				

Mini-Storage	P*		P*	
Miscellaneous Light Manufacturing	P		P	P
Transportation Services (air, rail, road, truck and freight)				
Telecommunications and Broadcasting (Radio, TV, Cable, Wireless Communications, Telephone, Etc.)	P*	P*	P*	P*
Utilities and Utility Services (Electric, Natural Gas, Alternative Energy)	P*	P*	P*	P*
Wholesale Trade Establishment/warehouse and Storage Services				
Commercial Uses (Office, Retail, Sales and Service Uses)				
Art, Antique, Museum, Furniture or Galleries (retail, repair or fabrication; excludes auto or electronics sales or service)	P	P+	P	P
Auto-Related Sales Establishments	S		S	S
Finance, Insurance, and real estate establishments (including banks, credit unions, and property management services, with no drive through facility)	P	P+	P	P
Fitness, recreational sports, gym, athletic club, dance or yoga studio	P	P+	P	P
Food service uses such as full-service restaurants, cafeterias, bakeries catering and snack bars <i>with no drive through facilities</i> .	P	P+	P	P
Offices for business, professional, administrative, and technical services such as accountants, architects, lawyers, doctors, etc.	P	P+	P	P
Pet and animal sales or service, <i>including outside kennels</i>				
Pet and animal sales or service, <i>with no outside kennels</i>	P	P+	P	P
Retail sales or service	P	P+	P	P
Theater, cinema, or music venue	P	P+	P	P
Cannabis Sales	P*		P*	P*
Cannabis Manufacturing/Processing				
Commercial Stable				
Private Golf Course				
Personal Service (Including Beauty Shop, Barber Shop)	P	P+	P	P
Tattoo Parlor	S	S	S	S
Spa or massage establishment	S	S	S	S
Pawn Shop, Alternative Finance Institution, Plasma Donation Center	S	S	S	S
Any Commercial use with outdoor storage	S	S	S	S
Any Commercial use with drive-thru facilities	S	S	S	S
Other Uses				
Food trucks, food truck parks	P	P+	P	P
Home Occupations	P	P	P	P
Parking, Structured	P	S	P	P
Temporary use, surface parking lot	P	P	P	P
Parking as a primary use	S	S	S	S
RV Parks				
Cemetery				
Sexually Oriented Business				
Agriculture Related Uses				
Greenhouse/Nursery, excluding cannabis	P	P	P	P
Innovative Indoor Agriculture, excluding cannabis	P	P	P	P

Agricultural Cultivation or Urban Agriculture, excluding cannabis	P	P	P	P
Agricultural Grazing/Ranching				

2. Design Criteria Standards

2.1. Applicability

- a. Design criteria for all uses allowed under **Table 7.1: Allowed Uses** shall be regulated by [Article V: Zoning Districts](#) and additional standards within [Article VIII: Development Standards](#).
- b. Design criteria for all uses allowed under **Table 7.2: Special District Allowed Uses** shall be regulated by [Article VI: Special Districts](#) and additional standards within [Article VIII: Development Standards](#).

2.2. Residential use additional standards.

a. Dwelling, Live/Work:

- i. In a mixed-use development or building, a live/work dwelling is considered a non-residential use.
- ii. The non-residential square footage within a live/work unit shall be limited to a maximum of 6,000 sq.ft. And shall be accessed from the street level.
- iii. The “live” portion of the building may be sited above or behind the non-residential use but shall not be between the non-residential use and the public right-of-way.

b. RV Parks:

i. Development Standards:

- 1. **Private Streets:** Private streets shall be provided and shall extend continuously from the public street so as to provide suitable access to all RV lots and other facilities or uses permitted in the RV Park, as well as provide adequate connection to future streets at the boundaries of the RV Park property line. Private Streets shall meet the following standards:

- a. Shall be a minimum of 24 feet in width.
- b. Intersections shall be at right angles. Intersection offsets of less than 125 feet shall be avoided. Intersections of more than two streets shall also be avoided.
- c. Dead end streets shall be a maximum of 600 feet in length and shall provide a paved vehicular turnaround of at least 80 feet in diameter.

- d. Shall be constructed of all-weather dust free materials which shall be durable and designed by an engineer to withstand all fire and emergency apparatuses in addition to accommodating appropriate drainage improvements.
- e. If the private street connects two public streets, it shall be in such a way as to discourage cut-through traffic.
- f. Driveways, approaches, right-of-way, turning radii, etc., shall meet the City of Claremore Infrastructure Design Criteria Manual.

- ii. Water Utilities: Each pad/lot/stand within an RV Park shall be provided with a connection to city water supply if available at the site. It shall be installed as follows:
 - 1. Water supply system shall meet all city ordinances and codes.
 - 2. A master meter shall be installed to serve the RV Park.
 - 3. A reduced pressure principal backflow preventer (RPZ) will be required to be placed at the property line on the discharge side of the master meter. In addition, one (1) anti-siphon device must be placed at each of the connections for each RV pad/stand/lot.
 - 4. Water riser service branch lines shall extend at least twelve (12) inches above ground level.
 - 5. Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes. Surface drainage shall be diverted from the location of utility connections at each site.
 - 6. A shut-off valve below the frost line shall be provided near each water riser pipe.
 - 7. The owner/operator shall maintain responsibility for the water system within the RV Park with the city's responsibility ending at the master meter.
- iii. Wastewater Facilities: Each RV lot/stand/pad shall be provided with a connection to the City of Claremore wastewater service, if available. If city wastewater service is not available, then a permit from the Oklahoma Department of Environmental Quality (DEQ) shall be obtained prior to placement of an on-site sewage facility. The city must approve all proposed wastewater facility plans prior to construction. The wastewater distribution system shall be installed as follows:

1. The wastewater system and materials must be installed in accordance with applicable codes adopted by the city.
2. Each RV lot/pad/stand must include a four-inch diameter wastewater riser and shall extend above grade by three (3) to four (4) inches. The wastewater riser pipe shall be located on each stand so that the wastewater connection to the RV drain outlet will approximate a vertical position. Each inlet shall be provided with a gastight seal when connected to a Recreational Vehicle or have a gastight seal plug when not in service. The plug shall be that of a spring-loaded device.
3. The wastewater connection to each RV lot/pad/stand shall consist of a single four-inch service line without any branch lines, fittings, or connections. All joints shall be watertight.
4. Surface drainage shall be diverted away from the riser.
5. The owner/operator shall have complete maintenance responsibility for the wastewater system within the RV Park. The responsibility of the city stops at the property line.

iv. Electrical Service: Each lot/pad/stand within the RV Park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with all adopted city codes and ordinances. The electrical service shall be installed as follows:

1. A master electric meter shall be installed to serve the RV Park.
2. The location of all underground lines shall be clearly marked by surface signs at approved intervals.
3. Power supply to each lot/pad/stand shall be a minimum of one 30-amp and one 50-amp power supply.
4. Outlets (receptacles or pressure connectors) shall be housed in an approved weatherproof outlet.

v. RV Lot/Pad/Stand Standards:

1. Each RV lot/pad/stand shall consist of an area that is a minimum of thirty (30) feet in width by sixty-five (65) feet in depth.
2. All lots shall be connected to utilities as specified in this section.

3. All lots shall abut and have access to a private street within the RV Park.
4. All lots shall provide adequate foundation for parking the RV and one additional space for a vehicle on an asphalt or concrete surface. The remainder of the lot shall be maintained as grass or other all-weather dust free surface.
5. No direct vehicular access to any RV lot shall be permitted from any public street.
6. The term RV lot/stand/pad shall apply only if all the required improvements are present on the lot.
7. Only one (1) RV is permitted on each RV lot/stand/pad.
8. Each RV lot/stand/pad shall be clearly marked with a minimum of three (3) inch numbers identifying the RV lot/stand/pad number.
9. The individual lots/stands/pads within the RV Park are not allowed to have accessory structures as defined in this Ordinance.

vi. Setbacks: All RV's shall meet the following setbacks:

1. The front of the RV shall be at least 10 feet from the edge of the private street.
2. No part of any RV shall be located closer than 25 feet from any adjacent public street ROW.
3. No side of an RV shall be located closer than 18 feet from any other RV.
4. The rear of an RV shall be no closer than 10 feet from any other RV.
5. No part of any RV shall be located closer than 10 feet from the RV Park perimeter property line.

vii. All permanent structures shall conform to the zoning district standards and all adopted city codes and ordinances.

1. Drainage: All open areas of the RV Park shall be graded and equipped to drain all surface water in a safe, effective manner so as not to permit water to stand or become stagnant. The RV Park shall also meet the city's adopted storm water drainage standards for development.

viii. Lighting: All entrance/exit driveways, private streets, parking lots, walkways, and service areas shall be adequately lit to be safe for all residents and visitors.

- ix. Garbage/Trash Disposal: Adequate facilities for the collection, storage, and disposal of garbage/trash of the occupants of the RV Park shall be provided. These trash receptacles shall be in the RV Park and be placed on an all-weather surface pad. Each RV lot/pad/stand shall be located within two hundred (200) feet of a trash receptacle as measured along an internal drive or walkway within the RV Park. Screening of the trash receptacles shall meet the standards in Article VIII: Site Design and Development Standards.
- x. Fencing: The RV Park shall be fenced along all sides per standards for nonresidential and multifamily fencing in Article VII: Site Design and Development Standards. All public street frontages shall be fenced by natural barriers (new or existing) such as trees or shrubs where possible. Where natural barriers are not feasible as determined by the Administrator, a minimum eight (8)-foot high fence shall be placed along the street frontage. All other standards for the fence shall meet the standards for nonresidential fencing in Article VII: Site Design and Development Standards.
- xi. Off-Street Parking: Shall meet standards in Article VIII Site Design and Development Standards.
- xii. Registration: Each person renting an RV lot/stand/pad in an RV Park shall register with the RV Park operator or owner with all the details of the person including name, permanent address, driver's license, auto-registration and RV license plates, number of the RV lot/stand/pad being rented, date of arrival and rental period.
- xiii. Maximum Rental Period: RV lots/stands/pads shall be rented on a temporary basis not to exceed 180 consecutive days or 200 cumulative days within any calendar year to the same tenant. Rental extensions may be approved by the Administrator prior to the expiration date of the original rental period.
- xiv. Pest and Rodent Control: Grounds, buildings, and structures in the RV Park shall be maintained free of the accumulation of dry brush, leaves, tree limbs, high grass, weeds, trash, and debris so as to prevent rodent and snake harborage or breeding of flies, mosquitoes, or other pests.
- xv. Fire Safety and Protection: All RV Parks shall meet the city's Fire Code standards including the placement of fire hydrants within 500 feet of the RV Park. All fire hydrants shall meet the city's adopted fire code standards.
- xvi. RV Parks in Annexed Areas: When an RV Park is annexed into the city, it shall be permitted for a period of 90 days before which the owner or operator is subject to the SUP requirements of this section.

c. Group Living Uses

- i. Nursing Home: In the MF-2 multi-family residential district, nursing homes shall comply with the residential density requirements of the district in which they are located. If not designated in separate dwelling units, each 2.5 persons of the designated occupancy shall be deemed a dwelling unit for the purpose of calculating density.

2.3. Commercial uses additional standards.

- a. Pet and animal sales or service, with or without outdoor kennels:
 - i. Commercial breeding is not permitted.
 - ii. Uses shall be entirely enclosed, properly ventilated, and provide sound barriers and odor protection to adjacent properties and users nearby or within the same development.
- b. Pet and animal sales or service with outdoor kennels: Outdoor kennels and runs are not permitted within 500 feet of residentially zoned property with a residential use.
- c. Specialty Retail and Paraphernalia sales:
 - i. Brick and mortar location a requirement.
 - ii. Any establishment with gross monthly sales of Specialty Retail and Paraphernalia sales representing more than 25 percent of total sales shall only be permitted with an SUP.
- d. Any commercial use with outdoor storage:
 - i. Outdoor storage or display of products along any highway frontage shall be prohibited. All storage areas shall be located within the rear yard and screened from adjacent properties and any public right-of-way.
 - ii. If adjacent to any residential uses, they shall be screened in accordance to the standards for a type screen described in [Article VIII: Development Standards](#).
- e. Any commercial use with drive-thru facilities (retail sales, pharmacy, banks, and restaurants):
 - i. Drive-thru facilities (windows, lanes, queuing, etc.) Shall not face a public right-of-way and shall be placed to the side (without street frontage) or rear of the building.
 - ii. If the previous requirement is not feasible, drive-thru lanes facing, backing, or siding a public street or residential uses shall be screened in accordance with the standards for a type screen described in [Article VIII: Development Standards](#).
 - iii. Specific to Special Districts:

1. Permitted along Will Rogers Blvd in the WR and WB Districts
2. Permitted along Route 66 in the DT District.

f. Alternative Finance Institution (Non-depository financial institution):

- i. No Alternative Financial Institution shall be located within 1,000 feet, measured from property line to property line, of any other alternative financial institution.
- ii. No Alternative Financial Institution shall be located within 400 feet, measured from property line to property line, of a lot zoned or used for residential purposes.
- iii. An Alternative Financial Institution may only be a principal use that requires an SUP. An alternative financial establishment may not be considered as an accessory use.

g. Bed and Breakfast Establishment:

- i. Number of guest rooms is limited to five (5) within residential districts and any additional only permitted by Special Exception.
- ii. Cooking facilities in guest rooms are not allowed.
- iii. Individual guest occupancy is limited to no more than fourteen (14) consecutive days within any thirty (30) day period.
- iv. Signs shall meet the City of Claremore Sign Ordinance.
- v. Health and Safety Considerations: Shall meet all adopted city, county, and state regulations regarding applicable fire code, health safety including food handling permit requirements.

h. Surface parking lot:

- i. Shall be screened when located adjacent to any residential uses or public right-of-way with a screen in accordance with [Article VIII: Development Standards](#).
- ii. Specific to Special Districts:
 1. Any lot where the parking lot is intended to be the primary use, shall be screened by a liner structure or habitable building to frame the edges of the parking along a street frontage.
 2. If a liner building is not feasible, a 30-foot-deep landscape edge (allowing for a future liner building) is required to buffer the parking lot from the street edge.

i. Structured parking:

- i. Shall meet the standards for parking garages in the Special District Design Standards in [Article VIII: Development Standards](#).

j. Sexually oriented businesses:

- i. Shall not be located within 1,000 feet of a church, a school, a boundary of a residential district, a public park or the property line of a lot devoted to residential use or designated for residential use in the city's Future Land Use Plan.

2.4. Manufacturing, Transportation, Communication, and Utility Uses

a. Auto service establishment:

- i. Spray painting or bodywork is not permitted. Dismantling, remanufacturing, or rebuilding are not allowed.
- ii. Outside storage or display of products or vehicles shall be prohibited.
- iii. Repair or installation work shall be conducted completely within a building.
- iv. Service bays that face any residential uses or public right-of-way shall be screened in accordance to the standards for a type screen described in [Article VIII: Development Standards](#).
- v. Car and truck wash: Wash bays and vacuum bays facing a public street or residential uses shall be screened in accordance with the standards for a type screen described in [Article VIII: Development Standards](#).

vi. Auto-related parts and accessory sales:

- 1. No outside storage or display of any merchandise sold.
- 2. Specific to Special Districts:
 - a. A pedestrian entrance to the building from a public sidewalk along a Pedestrian-Oriented Street shall be required.
 - b. Service Bays shall not face Will Rogers Boulevard

vii. Gasoline sales:

- 1. Gas pumps and canopies shall not be located on the site adjacent to any residential uses in addition to screening in accordance with the standards for a type screen described in [Article VIII: Development Standards](#).
- 2. Specific to Special Districts:
 - a. A pedestrian entrance to the principal building on the site from a public sidewalk along a Pedestrian-Oriented Street shall be required.
 - b. Gasoline pumps that not be built adjacent to a public right-of-way.

- b. Microbrewery, micro-distillery, winery:
 - i. Maximum size shall be limited to 25,000 sq.ft. And production limit in accordance with ABLE restrictions. All other ABLE requirements and/or restrictions remain applicable.
- c. Any Manufacturing Use in the Special Districts shall meet the following standards:
 - i. Shall be no more than 10,000 sq.ft.
 - ii. All outside storage shall only be in the rear yard and screened from all adjoining properties and public streets by an eight-foot high solid screening device that complies with the following requirements:
 - 1. All screening devices shall form an opaque, solid barrier, without gaps or openings, except as provided in (c) below.
 - 2. All screening devices shall be constructed of 100% brick, stone, or architecturally finished reinforced concrete.
 - 3. Only openings in screening devices that are necessary for reasonable access to the storage yard shall be permitted but shall be equipped with a solid gate or door constructed and maintained in accordance with the requirements for screening devices set forth in this section. All openings shall always be closed and securely locked, except for needed access.
 - 4. Any painting, staining, coating, covering or other coloring of any screening device shall be of a uniform color.
 - 5. All screening devices shall be maintained, repaired and/or replaced to ensure compliance with the requirements in this section at all times.
 - iii. Outside storage shall not be stacked, accumulated, kept, or otherwise placed above the solid screening device described in this subsection.
 - iv. A row of evergreen screening trees shall be planted in front of and within 10 feet of the required screening device. These trees shall be spaced a maximum of ten to 15 feet on center. They shall be placed no closer than five feet to the street side of the required screening device. The trees shall be six to eight feet in height at the time of planting and be a species capable of reaching a height of fifteen feet within five years of planting. All screening trees shall be equipped with an automatic irrigation system.
- d. Outside Storage: Any outside storage associated with an Industrial Use:

- i. All outside storage shall be setback a minimum of 25 feet from any public right-of-way and shall be located within the rear yard and screened from view of public streets by an eight-foot high solid screening device that complies with the following requirements:
 1. All screening devices shall form an opaque, solid barrier, without gaps or openings, except as provided in (c) below.
 2. All screening devices shall be constructed of 100 percent brick, stone, or architecturally finished reinforced concrete.
 3. Only openings in screening devices that are necessary for reasonable access to the storage yard shall be permitted but shall be equipped with a solid gate or door constructed and maintained in accordance with the requirements for screening devices set forth in this section. All openings shall always be closed and securely locked, except for needed access.
 4. Any painting, staining, coating, covering or other coloring of any screening device shall be of a uniform color.
- ii. All screening devices shall be maintained, repaired and/or replaced to ensure compliance with the requirements in this section at all times.

e. Telecommunications Facilities, All:

- i. The purpose of this section is to establish standards regulating the location of telecommunication facilities, towers and antennas with the objective of minimizing their number, to protect and promote public safety, and to mitigate any adverse visual impacts on the community while promoting the provision of telecommunications service to the public.
- ii. All telecommunications facilities, towers, and antennas shall be erected and operated in compliance with current Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) rules and regulations and other applicable federal, state, and city standards.
- iii. Platted Lots: Telecommunications facilities, including towers and related equipment buildings, but exempting co-located facilities (multiple towers owned by different operators), shall be located on a platted lot.
- iv. Technical Assistance: When a permit is required to comply with the provisions of this section, and when the technical information provided by the applicant is beyond the technical

capacity of city staff to review, the applicant, in addition to the usual application fee, shall reimburse the city for the actual cost to the city for the services of a technical expert to review the application and/or information supplement. Such reimbursement shall be paid prior to issuance of a construction permit.

- v. Pre-development Meetings: Prior to leasing or purchasing facilities, the telecommunications service provider is encouraged to meet with the Administrator or his/her designee to determine if the location will require a Specific Use Permit or other approvals, and to review the merits of potential locations.
- vi. Exemptions: Dish antennae less than two meters in diameter, antennae used exclusively for SCADA (System Control And Data Acquisition) communications in a utility substation or facility, antennae used exclusively as part of a federally licensed amateur radio station, antennae for Citizen's Band (CB) radios, and antennae less than one foot in greatest dimension are exempt from this section.
- vii. Abandoned Antennae or Towers: Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within 180 days of receipt of notice from the Administrator notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within said 180 days shall be grounds for the city to remove the tower or antenna at the owner's expense.

f. Telecommunications Facilities, Building Mounted:

- i. Ground and building mounted dish antennae shall not be permitted in any front setback area or side or rear yard if adjacent to any roadway.
- ii. Ground-mounted dish antennae in excess of five feet in height shall be screened from roadways and adjacent property by a minimum six-foot high screening masonry wall or evergreen hedge.
- iii. Building/roof-mounted antennae one meter or less in diameter are permitted in all zoning districts.
- iv. Building/roof-mounted antennae in excess of one meter in diameter in residential zoning districts shall be painted to have an appearance that blends with the building on which they are located or be located so that they are not visible from any adjacent roadway.
- v. Building/roof-mounted dish antennae in excess of two meters in diameter may be permitted on buildings in excess of 10,000 square feet of building floor area in the non-residential districts.

- vi. Building/roof-mounted dish antennae in excess of two meters in diameter in non-residential districts shall be painted or screened with enclosures so as to have an appearance that blends with the building on which they are located or be located so that they are not visible from any adjacent roadway.
- vii. Prior to the installation of any building/roof mounted telecommunications antenna, antenna array or support structure the Administrator may require an engineer's certification that the structure will support and not be adversely affected by the proposed antenna and associated equipment.

g. Telecommunications Towers:

- i. Structural Standards: Guyed telecommunications towers shall be designed and located such that if the structure should fall it will avoid habitable structures and public streets.
- ii. Co-location:
 1. Towers shall be designed and built to accommodate a minimum of two wireless providers, if over 65 feet in height. The owner of the tower must certify in writing to the city that the tower is available for use by other telecommunications service providers on a reasonable and nondiscriminatory basis.
 2. Applicants seeking to erect a tower greater than 65 feet in height within 3,000 feet of any tower greater than 65 feet in height, shall provide evidence that reasonable efforts were made to lease space on an existing or planned tower or that no existing tower will satisfy the applicant's technological needs.
- iii. Tower Height:
 1. The height of a tower, whether freestanding or building-mounted, shall be measured from the base of the tower to the highest point of the tower, including any installed antennae and appurtenances.
 2. The maximum height for towers is 65 feet plus 25 feet for each co-located installation, or as approved by Specific Use Permit
- iv. Security Fencing and Building Materials:
 1. Security fencing, if installed, shall be by a wrought iron with masonry columns expressed at intervals no greater than fifty (50) feet on center and with evergreen hedge, or a masonry wall, each not less than six feet in height. The exterior of equipment buildings and/or metal equipment cabinets visible from residential areas or public rights-of-way must have a neutral finish or be

painted to reflect the color and character of adjoining structures or blend with adjacent landscaping and other surroundings.

v. Location:

1. All telecommunication towers, as well as guys and guy anchors, shall be located within the buildable area of the lot and not within the front, rear, or side setbacks. New telecommunication towers in excess of 200 feet in height shall be set back a minimum of 1,300 feet from the right-of-way of all controlled access federal and state roadways designated as freeways to provide unobstructed flight paths for helicopters.
2. All telecommunications towers, including stealth towers, equal to or over 75 feet in height, are not allowed in any residential zoning district and must be a minimum of a three-to-one distance to height ratio from a single-family residential district and one-to-one distance to height ratio from a transition zone of a Special District.
3. Any new telecommunications tower in excess of 180 feet in height shall be located a minimum of one mile from any existing tower in excess of 180 feet in height.

vi. Signage:

1. Except as otherwise permitted in this Ordinance, no signage, lettering, symbols, images, or trademarks in excess of 2 sq. Ft. Shall be placed on or affixed to any part of a telecommunications tower, antenna, antenna array, equipment building, or security fencing other than as required by FCC regulations or other applicable law.

vii. Lighting:

1. Except as otherwise permitted in this Ordinance, no signals, lights, or illumination of any kind shall be permitted on or directed toward any tower unless required by the FCC, the FAA, or other appropriate public authority.

viii. Stealth Towers:

1. Stealth telecommunication towers and antennae must be similar in color, scale, and character to adjoining buildings or structures or blend with the landscaping and other surroundings immediately adjacent to them so as to generally avoid the creation of unique visual objects that stand out in the environment.

2. Each design for a proposed stealth tower or antenna shall be reviewed by the Administrator. An applicant of a stealth tower or antenna design shall provide the Administrator with evidence in the form of construction drawings, photographs, renderings, or other data sufficient for the Administrator to determine whether the design effectively conceals the tower or antenna. The Administrator shall forward the request to the Planning Commission and City Council after determining the completeness of the application.

ix. Antenna Mounting Standards:

1. The purpose of this section is to promote public safety and maintain order and harmony within the city's business, cultural, and residential districts by restricting the size and location of telecommunication antennas. The objective is to avoid the creation of visual distractions, prevent obstructions to the view of pedestrians and motorists on public thoroughfares, and to ensure the integrity of supporting structures.

x. Whip and Panel Antenna Mounting Standards:

1. Telecommunications antennas, including mounting structures, are allowed on existing electric utility poles, light standards, and telecommunication towers in excess of 40 feet in height, provided that the total length of any antenna does not exceed 15 percent of the height of the existing structure. The height of a telecommunications tower is determined by the highest point of any and all components of the structure, including antennas.
2. Telecommunications antennas and arrays are allowed by right on existing electric transmission towers.
3. Existing conforming building element structures (excluding towers) in excess of 50 feet in height may, as a matter of right, be rebuilt, if necessary, to support or contain a new antenna, provided that the new structure is the same height and substantially the same in appearance as the structure it replaces.
4. Panel antennas, which do not extend above the structure, or whip antennas 15 feet or less in height, are permitted on conforming billboard structures.
5. Building-mounted panel antennas are permitted on non-residential buildings and multifamily dwellings in all zoning districts; provided that they are mounted flush with the exterior of the building and that they do not

project above the roof line or more than 30 inches from the surface of the building to which they are attached. The antenna's appearance shall be such that its color blends with the surrounding surface of the building.

6. Whip antennas are permitted on non-residential buildings and multifamily dwellings in all zoning districts, provided that the total length of said whip antennas, regardless of mounting method or location, does not exceed 15 percent of the existing height of the building.
7. Only one building/roof mounted antenna support structure, less than 100 square feet in area, is permitted per 5,000 square feet of building floor area.
- xi. Prior to the installation of any building/roof mounted telecommunications antenna, antenna array or support structure the Administrator may require an engineer's certification that the structure will support and not be adversely affected by the proposed antenna and associated equipment.

3. Accessory Uses and Structures

3.1. Purpose

- a. This section authorizes the establishment of accessory uses and structures that are incidental and customarily subordinate to primary uses. An accessory use or structure is "incidental and customarily subordinate" to a primary use if it complies with the standards set forth in this section. All primary uses allowed in a zoning district shall be deemed to include those accessory uses, structures, and activities typically associated with the use, unless specifically prohibited in this section. [Article XI: Definitions](#), identifies typical accessory uses associated with principal uses as part of the primary use definition.

3.2. Approval Procedure

- a. Generally: Any of the accessory uses identified in this section may be allowed as accessory to an authorized primary use provided that:
 - i. The proposed accessory use is allowed as a principal or accessory use in the base district or overlay district where proposed.
 - ii. The proposed accessory use or structure is consistent with the general and specific standards for accessory uses in this subsection.
- b. Simultaneously with a Principal Use: Accessory uses, or structures may be reviewed as part of review of an associated primary use. In cases where the principal use is subject to a Specific Use Permit, an accessory use may only be authorized in accordance with an approved Specific Use Permit.

c. Subsequent to a Principal Use:

- i. Unless exempted, a building permit shall be required in cases where an accessory use or structure is proposed subsequent to a primary use.
- ii. In cases where the primary use is subject to a Specific Use Permit, an accessory use may only be authorized in accordance with the provisions in Article III, General Review Procedures.

3.3. Interpretation of Unidentified Accessory Uses and Structures

- a. The Administrator shall evaluate and make determinations on applications for accessory uses that are not identified in this section on a case-by-case basis, based on the following standards:
 - i. The definition of "accessory use" in [Article XI: Definitions](#), and the general accessory use standards and limitations established in Section (d), General Standards for All Accessory Uses and Structures.
 - ii. The purpose and intent of the zoning districts in which the accessory use is located.
 - iii. Potential adverse effects the accessory use or structure may have on other lots, compared with other accessory uses permitted in the district.
 - iv. The compatibility of the accessory use with other primary and accessory uses permitted in the district.

	TABLE 7.3 : Accessory Uses and Structures										Office/Commercial		Industrial	
	AG	RE	R-SF 10	R-SF 5	MX	MF-1	MF-2	RMH	O	EC	NC	RC	LI	HI
Carport	P*	P*	P*	P*	P*	P*	P*	P*						
Community Center/Club house (private)	S	S	S	S	S	S	S	S						
Residential Garage (detached)	P*	P*	P*	P*	P*	P*	P*							
Storage shed (residential)	P	P	P	P	P	P	P	P						
Home - occupation	P	P	P	P	P	P	P	P						
Outdoor electric vehicle charging station									P	P	P	P	P	P
Outdoor storage									P		P	P	P	
Outdoor display and sales									P		P*	P		
Recycling collection center												P	P	P
Sidewalk/Outdoor café									P	P	P			

	Special Districts			
	DT	OT	WR	WB
Carport	P*	P*	P*	P*
Community Center/Club house (private)	P	P	P	P
Residential Garage (detached)	P*	P*	P*	P*
Accessory Dwelling Unit	P*	P*	P*	P*
Storage shed (residential)	P*	P*	P*	P*
Home - occupation	P	P	P	P
Electric vehicle charging station	P	P	P	P
Outdoor storage	S	S	S	S
Outdoor display and sales	P	P	P	P
Recycling collection center	P	P	P	P
Sidewalk/Outdoor café	P	P	P	P

3.4. General Standards for All Accessory Uses and Structures

- a. All accessory uses and structures shall be subject to the general standards in this section, as well as any applicable additional standards in Additional Accessory Use Standards and all standards applicable to the associated primary use as set forth in Additional Use Standards.
- b. Size: All accessory uses and structures shall:
 - i. Be clearly subordinate in area, extent, and purpose to the primary use or structure.
 - ii. Not violate the bulk, density, parking, landscaping, or open space standards of this Ordinance when taken together with the primary use or structure.
 - iii. The floor area of any detached accessory structure shall not exceed 40 percent of the floor area of the primary structure obtained from the Roger's County Assessor's office unless the property owner has documented proof to the contrary. The total combined floor area of all structures shall not exceed the maximum lot coverage for the zoning district in which it is located. The Administrator may authorize a structure to exceed this percentage if the structure is used for a permitted agricultural use.
- c. Function: All accessory uses and structures shall directly serve the primary use or structure and be accessory and clearly incidental to the primary use or structure.
- d. Timing: Accessory uses and structures shall not be constructed or established prior to the start of construction of the primary use or structure. An accessory structure shall not be used until the construction of the primary structure is complete.
- e. Height: Accessory structures shall be limited to a maximum height of 24 feet unless exempted from the height requirements in this Ordinance.
- f. Location: Accessory uses or structures shall be located on the same lot as the primary use or structure and shall comply with setback standards in Additional Accessory Use Standards.
 - i. Permanent accessory structures shall not be located within platted or recorded easements.
 - ii. The Administrator may authorize an accessory structure on a vacant lot if the structure is used for animal or crop production associated with an agricultural use or used in conjunction with a park or community garden.
- g. Design Compatibility:
 - i. Except where exempted, all accessory structures shall be designed to be aesthetically compatible with the primary structure. Compatibility shall be evaluated in terms of building

materials, building orientation, building placement, building articulations, and building mass. Non-enclosed stables, gazebos, greenhouses, and carports ten feet or less in height with a roofed area of 120 square feet or less are exempt from this compatibility requirement outside of Special Districts.

- ii. Applicants for accessory structures not exempted in accordance with this subsection who request exceptions from the design compatibility requirements shall demonstrate screening methods or design features that will be used to minimize any potential adverse effects on neighboring properties.
- h. Ownership: Accessory uses or structures shall be owned or operated by the same person as the primary use or structure.

3.5. Additional Accessory Use Standards

- a. Carports in any Required Front Yards:
 - i. The purpose of this provision is to allow carports to be erected within the required front yard when no other feasible option exists on the qualifying residential lots.
 - ii. Approval: Carports may be permitted in required front yards of certain single-family residential lots where the Administrator determines that the proposed carport:
 - 1. Is in keeping with the existence, location, and design of other carports on other adjoining lots in the same neighborhood or street.
 - 2. Will not cause sight obstructions to motorists on or entering the street or abutting neighborhood.
 - 3. Will not cause a negative visual impact on the streetscape of the neighborhood.
 - 4. Is compatible with the architectural style of the dwelling and the predominant architectural style of the neighborhood.
 - iii. Standards: Any carport that is permitted to occupy a portion of the required front yard shall comply with the following restrictions:
 - 1. Freestanding carports that are not structurally integrated with the roof of the principal structure shall not exceed 18 inches of separation from the principal structure.
 - 2. Except for the roof, carports shall be painted to match or replicate the color of the trim areas of the primary structure/residence.
 - 3. Carports shall have a pitched roof that matches the existing pitch of the primary structure and that utilizes

shingles that substantially match the color of the shingles used on the principal structure. The roof of the carport shall be either a closed gable or hip design. The Administrator may approve an alternate design to satisfy this requirement.

4. Carports shall have dimensions no greater than 20 feet in length by 20 feet in width for lots with primary structures originally designed with two-car garages, and/or no greater than 12 feet in width for lots with principal structures originally designed with single-car garages.
- b. Accessory Dwelling Unit: An accessory dwelling unit in any residential district that meet the standards in this section shall not count as a dwelling unit for purposes of calculating density on the site. They shall:
 - i. Meet the setback and height standards of the primary structure on the lot.
 - ii. The unit shall not be larger than 40 percent of the principal residence on the lot up to a maximum of 600 square feet and shall not have more than one bedroom, one kitchen, or one bathroom.
 - iii. A separate, secondary entrance may be provided to the accessory unit, but it shall not be visible from any public street.
 - iv. The unit may be a stand-alone unit or be attached to a garage (either to the side or above (where height regulations permit).
- c. Residential garage (detached):
 - i. If directly fronting a street, the maximum size shall be a 2-car garage.
 - ii. Design shall be compatible with the primary residence on the property.
 - iii. Garage shall not be located forward of the primary structure on the lot.
 - iv. Setbacks shall be the same as any other permanent accessory buildings on the lot.
 - v. For MX and MF districts: residential garages shall be placed to the side (setback at least 10 feet from front of primary façade) or rear of the primary structure, or in the center of the complex in the case of a large MF development.
- d. Home Occupation: A home occupation may be permitted as accessory to any principal dwelling unit districts that permit residential uses, subject to the following standards:
 - i. The home-based business shall be conducted by a resident of the primary dwelling.

- ii. The business or service located within the dwelling shall not exceed 40 percent of the floor area of the house or 40 percent of the combined building area of all structures on the lot. Activities shall be wholly conducted within either the primary structure or in any detached accessory structure on the lot.
- iii. The principal person(s) providing the business or service shall reside in the dwelling on the premises. Only one additional employee, other than the resident(s) of the primary dwelling unit, is permitted at the home-based business at any one time.
- iv. Neighborhood Compatibility:
 1. The home-based business shall not cause any change in the external appearance of the existing buildings and structures on the property.
 2. All vehicles used in connection with the home-based business shall be of a size, and located on the premises in such a manner, so that a casual observer or a person of normal sensibilities will not be able to detect any sign of the premises being used as a home occupation. No vehicle larger than one ton shall be kept on the premises or shall be parked on the street.
 3. Parking of vehicles to accommodate the off-site employee or permitted customers shall be limited to the driveway of such premises or along the curb immediately adjacent to such premises.
 4. There shall be no advertising devices on the property or other signs of the home-based business that are visible from off the premises, other than advertising located on vehicles in accordance with the city's Sign Ordinance.
 5. The property shall contain no outdoor display of goods or services that are associated with the home occupation. Outside storage is prohibited. For the purpose of this section, the parking of one enclosed trailer in a driveway is not considered outside storage.
 6. The home-based business shall not create traffic or parking congestion, noise, vibration, odor, glare, fumes, or electrical or communications interference that can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception. All home-based businesses are subject to all other ordinances applicable in the City of Claremore.
- v. Prohibited Home Occupations: The following uses, because of their effects on the surrounding residential area, shall not be permitted as home occupations:

1. Auto repair or motorized implement repair
2. Dance, music or other types of tutoring instruction where more than six students are being instructed at one time
3. Commercial kennel or breeding facility
4. Dental offices; medical offices
5. The painting of vehicles, trailers or boats
6. Private schools
7. Motor vehicle towing operation
8. Barber or beauty shops having more than two chairs
9. Commercial welding shops
10. Nursing homes
11. Any other home-based business that, in the opinion of the Administrator, will have negative effects on the neighborhood

e. Outside Storage: Shall meet the standards for Commercial Uses.

f. Outside Display and Sales:

- i. The use is not permitted within any landscape buffer area as required by [Article VIII Development Standards](#).
- ii. Limited to no more than five percent of building area containing the primary use.
- iii. If along the store front, no building entrances shall be blocked, and a minimum of 5-foot clear pedestrian passageway is provided along any public sidewalk or walkway.
- iv. Use of a surface parking area is at the Administrator's discretion; it shall only be for temporary display and sales for seasonal items.
- v. If permitted to be displayed for more than 14 continuous days, then they shall be screened to meet the standards for screening of outside storage areas in the Commercial Uses section.
- vi. Daily display on a rolling cart or stand that is brought in at the end of the business day is permitted

g. Sidewalk/Outdoor Café/Parklets: In all districts in which a sidewalk café is allowed, occupancy of a public sidewalk or parkway for a sidewalk café shall be permitted under the following conditions:

- i. Use of any public sidewalk is subject to approval of an easement or right-of-way use agreement per city ordinances.

- ii. The sidewalk to be used for outdoor seating must be adjacent and contiguous to the restaurant.
- iii. A sidewalk cafe may not be enclosed by fixed fencing or other structures, unless necessary to comply with requirements to serve alcohol per Oklahoma ABLE Commission regulations.
- iv. A sidewalk cafe must be open to the air; however, it may be covered with a canopy.
- v. There shall be a four-foot wide unimpeded sidewalk remaining for pedestrian flow from the face of the curb and the area of sidewalk café seating.
- vi. The sidewalk café shall be setback a minimum of five feet from any driveways and alleys, and six feet from intersections with no curb extensions (or bulb-outs) at the intersections.
- vii. All curbs, alleys, sidewalks, and public rights-of-way adjacent to such sidewalk café shall be kept in a clean and orderly condition.
- viii. Sidewalk/Outdoor cafés/Parklets may occupy the on-street parking directly adjacent to the subject property. Approval by Administrator and Public Works is required prior to occupancy.

4. Temporary Uses and Structures

4.1. Purpose

- a. This section allows for the establishment of certain temporary uses of limited duration and special events, provided that such uses comply with the standards in this subsection and are discontinued upon the expiration of a set time period. Temporary uses and special events shall not involve the construction or alteration of any permanent building or structure.

4.2. Approval Procedure

- a. Any use listed in this section may be permitted as a temporary use provided:
 - i. Where indicated on the Temporary Uses and Structures Table, the proposed temporary use obtains a Specific Use Permit in accordance with the requirements in Article III General Review Procedures.
 - ii. The proposed temporary use is consistent with the general and specific standards for temporary uses and structures in this section.

TABLE 7.5 : Temporary Uses and Structures

	Residential								Office/Commercial				Industrial	
	AR	RE	R-SF 10	R-SF 5	MX	MF-1	MF-2	RMH	O	EC	NC	RC	LI	HI
Construction Office	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Construction related storage-yard	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Temporary Real estate sales office	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Model Home	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Festivals and civic events (includes carnivals, circus, amusement rides, etc.)											P*	P*		
Garage sales	P*	P*	P*	P*	P*			P*						
Temporary storage containers	P*	P*	P*	P*	P*	P*	P*	P*						
Seasonal sales	P*								P*		P*			
Any other temporary use or structure (other than listed above) e.g. Batch plant	S	S	S	S	S	S	S	S	S	S	S	S	S	S

	Special Districts			
	DT	OT	WR	WB
Construction Office	P*	P*	P*	P*
Construction related storage-yard	P*	P*	P*	P*
Temporary Real estate sales office	P*	P*	P*	P*
Model Home	P*	P*	P*	P*
Festivals and civic events (includes carnivals, circus, amusement rides, etc.)	P*	P*	P*	P*
Garage sales	P*	P*	P*	P*
Temporary storage containers	P*	P*	P*	P*
Seasonal sales	P*		P*	P*
Any other temporary use or structure (other than listed above) e.g. Batch plant	S	S	S	S

4.3. General Standards for All Temporary Uses and Structures

- a. All temporary uses or structures shall meet the following general requirements, unless otherwise specified in this Ordinance:
 - i. The temporary use or structure shall not be detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare.
 - ii. The temporary use shall comply with all applicable general and specific regulations of this section Temporary Uses and Structures, unless otherwise expressly stated.
 - iii. Permanent Alterations (any alterations that do not comply with temporary use criteria and timelines outlined in this Ordinance) to the site are prohibited.
 - iv. All temporary signs associated with the temporary use or structure shall be properly permitted and removed when the activity ends or permit expires, whichever occurs first.
 - v. The temporary use or structure shall not violate any applicable conditions of approval that apply to a principal use on the site.
 - vi. The temporary use regulations of this section do not exempt the applicant or operator from any other required permits, such as health or building permits.
 - vii. If the property is undeveloped, it shall contain sufficient land area to allow the temporary use or structure to be accommodated, as well as any parking and traffic circulation as required based on best and closest permanent use that may be associated with the temporary use, without disturbing sensitive or protected resources, including existing trees, required buffers, 100-year floodplains, river protection setbacks, and required landscaping. At the conclusion of the temporary use or at expiration of the permit, whichever occurs first, all disturbed areas of the site shall be restored or improved to the condition that existed prior to the use.
 - viii. If the property is developed, the temporary use shall be located in an area that is not actively used by an existing approved principal use, and that would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movements, pedestrian circulation, or parking space availability. If located within a surface parking lot, it shall not occupy more than 30 percent of the parking lot.
 - ix. Tents and other temporary structures shall be located so as not to interfere with the normal operations of any permanent use located on the property, shall be anchored, and meet the requirements of the Building Official, including fire rating.

- x. Off-street parking, including designation of the off-street parking spaces, shall be adequate to accommodate the proposed temporary use.

4.4. Additional Standards for Temporary Uses and Structures

- a. Construction Field Office and Construction Storage Yard:
 - i. This use is limited to on premise construction purposes associated with the properties within the same platted subdivision.
 - ii. The Administrator may order the use to be discontinued, and in no event shall such temporary use continue after subdivision construction is 100 percent complete.
- b. Temporary Real Estate Office or Model Home:
 - i. This use may be located in a model home or a portable building within the subdivision.
 - ii. The Administrator may order the use discontinued, and in no event shall such temporary use continue after subdivision sales are 80 percent complete.
- c. Festivals, Civic Events, Circus, Carnival, and Amusement Rides: Civic events and special events may be conducted within an existing use and ancillary to that use provided it meets the following criteria. *[Nothing within this section shall regulate or prevent an individual residential property owner from conducting activities normally associated with residential uses, including outdoor parties and gatherings. In addition, such outdoors activities shall be subject to the other regulations and ordinances of the City of Claremore which regulate orderly conduct within the neighborhood and take into consideration the health, safety, and public welfare of the adjacent property owners]*:
 - i. The event is carried on for a period not to exceed seven (7) consecutive days. Applications for extended periods of time are subject to Administrative approval.
 - ii. Retail sales may be conducted with the primary activity including arts, crafts, food, and other items.
 - iii. Charitable and Nonprofit Organizations may conduct retail sales for fund-raising purposes in any zoning district.
 - iv. Assemblies are carried on out-of-doors, in temporary shelters or tents.
 - v. A permit is obtained in accordance with the provisions provided herein.
- d. Garage Sales or Yard Sales:
 - i. No more than 3 garage sales within anyone (1) calendar year may occur.

- ii. The duration of the sale shall not exceed 72 hours. The next garage sale shall not occur until seven (7) consecutive calendar days have passed.
- e. Temporary Storage Containers:
 - i. Temporary storage containers may be allowed for residential and commercial moving or remodeling.
 - ii. Temporary storage containers shall be placed on the driveway or parking lot at the furthest point from the street.
 - iii. Temporary storage containers cannot be placed on any public right-of-way or in grassy areas in the front yard.
 - iv. Each residential lot shall be limited to two (2) temporary storage containers at a time; no more than twice per calendar year to be placed no longer than ten (10) consecutive days each time unless otherwise approved by the Administrator.
 - v. Each non-residential lot shall be limited to two (2) temporary storage containers at a time; no more than twice per calendar year to be placed no longer than twenty (20) consecutive days each time unless otherwise approved by the Administrator.
 - vi. If used during remodeling, then the temporary storage container shall be removed within 10 days of final inspection or Certificate of Occupancy issuance.
- f. Seasonal Sales: Outdoor seasonal sales are temporary uses which include but are not limited to snow cones, Christmas tree sales, pumpkin sales, plant sales, fresh produce sales and similar uses. Outdoor seasonal sales are not intended to include the sale of manufactured items such as furniture, bedding, automobile parts or household goods. It shall also not include fireworks. The following standards shall apply:
 - i. The maximum duration of a single seasonal sales permit is 15 days. Only one sale is permitted per season on any single lot. Such a limitation shall not apply to farmers markets and similar uses.
 - ii. On a developed lot, the maximum area for seasonal sales shall be no greater than 30 percent of any surface parking area. Such a limitation shall not apply to farmers' markets and similar uses.
 - iii. Outside display shall not block any sight triangles or fire lanes.
 - iv. On undeveloped lots, pre-existing access and parking may be gravel so long as it is maintained in good condition. New access or parking must be approved surfaces.

Article VIII – Development Standards

1. Building and Urban Design Standards

1.1. Applicability: Table 8.1-1 shall establish the applicability of the different standards in this section based on the type of development or improvement.

Development Request	Section →	Landscaping (see Article IX)	Tree Preservation (see Art IX)	Screening and Buffering	Open Space	Off-Street Parking	Commercial Building Design	Special District Building Design	Transportation and Connectivity
A. New Construction	■ ■ ■ ■ ■ ■ ■ ■ ■ ■								
B. Change of use/expansion of existing use (with NO increase in building area)						■			
C. Any increase in value of improvements with NO increase in building area									
D. Expansion of Building Area									
i. 0% - 49% increase in building area regardless of increase in value of improvements 1. Standards in applicable sections shall apply only to the expansions	■ ■ ■ ■ ■ ■ ■ ■ ■ ■								
ii. 50% or greater increase in building area AND less than both (i) 50% increase in value of improvements and (ii) Any proposed improvements valued at or above \$100,000 i. Standards in applicable sections shall apply only to the expansions	■ ■ ■ ■ ■ ■ ■ ■ ■ ■								
iii. 50% or greater increase in building area AND more than either (i) 50% increase in value of improvements or (ii) Any proposed improvements valued at \$100,000 or more 1. Standards in applicable sections shall apply to the site including retrofitting of the existing building and site if non-complying subject to Administrative Modifications in Article II.	■ ■ ■ ■ ■ ■ ■ ■ ■ ■								
E. Expansion of parking area only (not in conjunction with a building or use expansion)									
i. Up to 10 spaces									
ii. 11 or more additional spaces	■ ■ ■ ■ ■ ■ ■ ■ ■ ■								
F. Façade changes to existing buildings (regardless of value of improvements proposed)									
i. Addition of non-air conditioned space such as patios, porches, arcades, canopies, and outdoor seating areas									
ii. Changes to any street facing facades							■ ■		

a. Technical Advisory Committee

- i. Any requested variations from the building and urban design standards set forth in Article VIII may be considered by the TAC composed of staff. Such requests should reflect the aesthetic character and spirit that the Claremore Unified Development Code portrays.

1.2. Non-Residential Design Standards

a. Purpose and Intent: The intent of this section is to establish design and development standards that foster high-quality, attractive, and enduring non-residential development. The standards are intended to:

- i. Protect and enhance the character and quality of retail, office, and industrial areas in Claremore;
- ii. Protect and enhance the long-term market value of property within Claremore;
- iii. Enhance the human and pedestrian scale of retail and office developments and ensure compatibility between residential neighborhoods and adjacent commercial uses;
- iv. Mitigate negative visual impacts arising from the scale, bulk, and mass of large commercial and industrial buildings and centers;
- v. Promote building designs and construction practices that are enduring and adaptable to multiple uses for extended building lifecycles;
- vi. Establish a sense of place for the commercial areas in Claremore; and
- vii. Balance the community's economic and aesthetic concerns.

b. Applicability

- i. The general applicability standards in Section 5.1, Applicability of this Article, shall apply to this section.

1. These non-residential design standards shall apply to all new non-residential buildings and building expansions per Section 5.1 in zoning districts except:

- a. Special Districts (standards in Section 8.2.B shall apply)
- b. Planned Development Districts that have alternative building design standards adopted as part of an approved PD Ordinance

c. Site Design and Building Organization

- i. Purpose: Site design standards address a development's relationship to its surrounding natural features, street network, and land uses. They also address the relationship between key elements within the site. Careful site design is critical to the

success of non-residential projects, and the standards of this Section should be considered at the outset, and throughout, the design process. The standards of this Section are intended to:

1. Ensure development is sensitive to the physical characteristics of the site;
2. Ensure building scale, orientation, and design relates to the surrounding uses and streets, and creates a cohesive visual identity and an attractive street scene, especially in neighborhood commercial areas;
3. Ensure site design for efficient pedestrian, bicycle, transit, and vehicular circulation patterns, and create a high-quality pedestrian environment where appropriate;
4. Promote design environments built to human scale where appropriate;
5. Ensure delivery, trash, and loading facilities are located to be visually appealing and not impede regular vehicular and pedestrian circulation and access routes; and
6. Ensure safe pedestrian access between buildings and parking areas.

ii. Building Organization and Orientation:

1. Individual Buildings
 - a. Development composed of one or two buildings shall be oriented so that the front façade faces the primary street. On corner lots, the building(s) shall face the higher street designation unless adjoining and connected development provides a context for street frontage along the lower designation street as determined by the Administrator.
 - b. In cases where the longer side of a building is perpendicular to the primary street, the portion of the building facing the primary street shall be designed as a building front with entrances, signage, and transparent windows.

Single Commercial Building Orientation

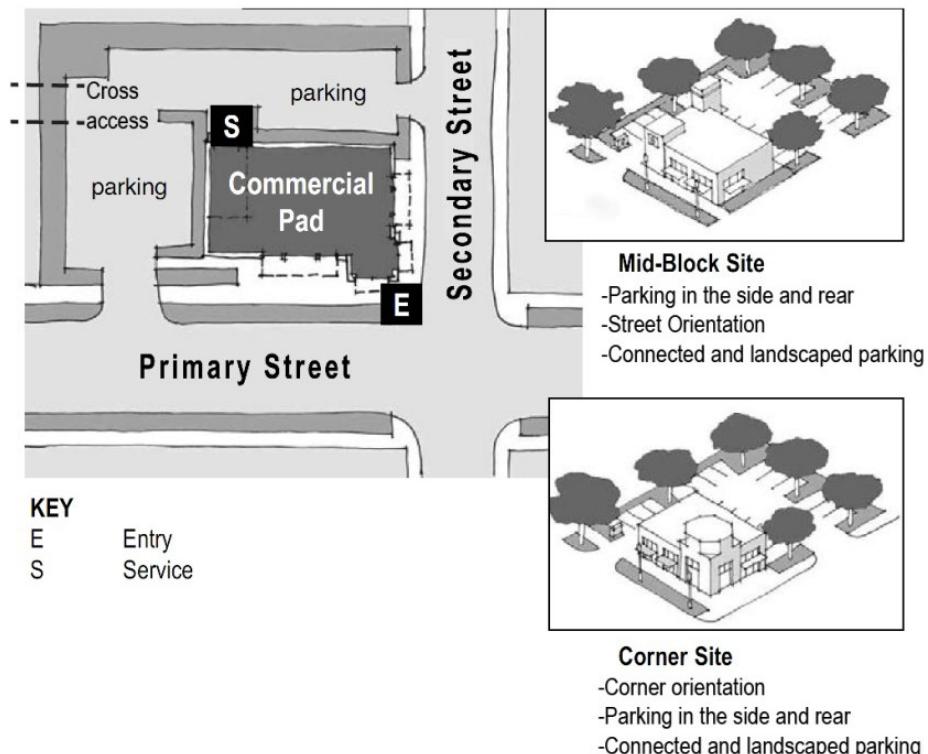


Figure 8.1-1 Illustration of a Single Building Orientation and Site Organization

2. **Multiple Buildings:** Development composed of three or more buildings shall be configured to (see Figure 5.7-2):
 - a. Break up the site into a series of smaller internal "blocks" defined by on-site driveways, private streets, vehicle access ways, pedestrian walkways, or other circulation routes;
 - b. Buildings should frame internal streets and parking should be located in the middle of the block;
 - c. Large parking areas should be broken up into smaller parking areas defined by internal landscaped drives designed as "quasi" streets (private access easements, driveways, etc. That have pedestrian frontages and streetscape);

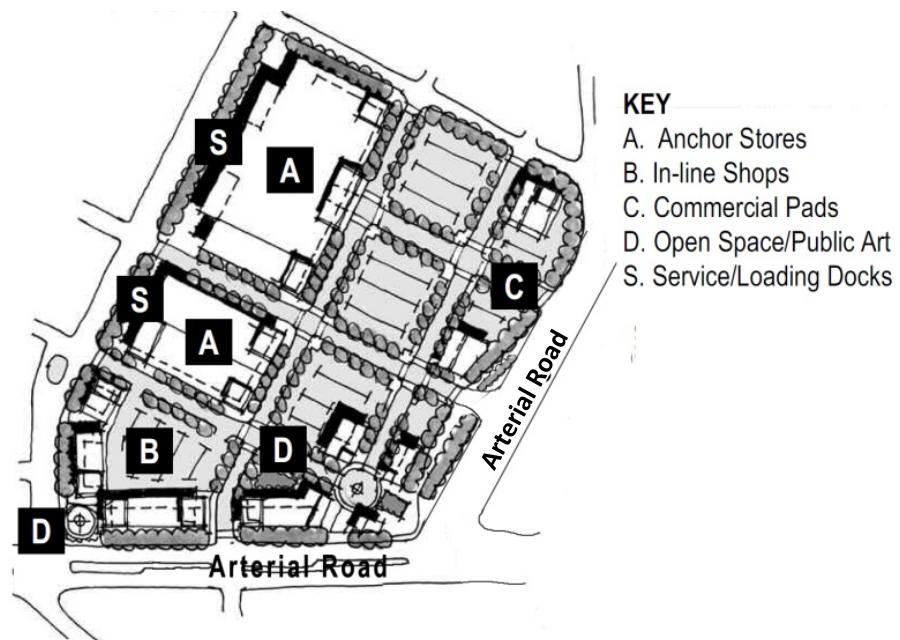


Figure 8.1-2 Illustration of Site Organization of a Multiple Building Development

3. Building Entry Design:

- a. All buildings shall have their primary entrance directly off the street or through a recessed area, courtyard, or plaza located adjacent to the street.
- b. The primary building entrance shall be readily apparent as a prominent architectural component from the street, thus creating a focal point. However, non-residential buildings with multiple tenants on the ground floor or multiple primary entrances shall have all entrances treated architecturally.
- c. Primary building entrances are to be defined and articulated with architectural elements such as pediments, columns, porticos, porches, and overhangs.

4. Height Transitions: Transitions between non-residential buildings and adjoining residential neighborhoods shall be provided by using a combination of the following techniques:

- a. Concentrating the tallest buildings at the center of the site or along primary street frontages; or
- b. Stepping down the height of buildings along any shared residential lot line or street frontage to the zoned maximum height of the adjacent residential structures. See Figure 8.1-3.

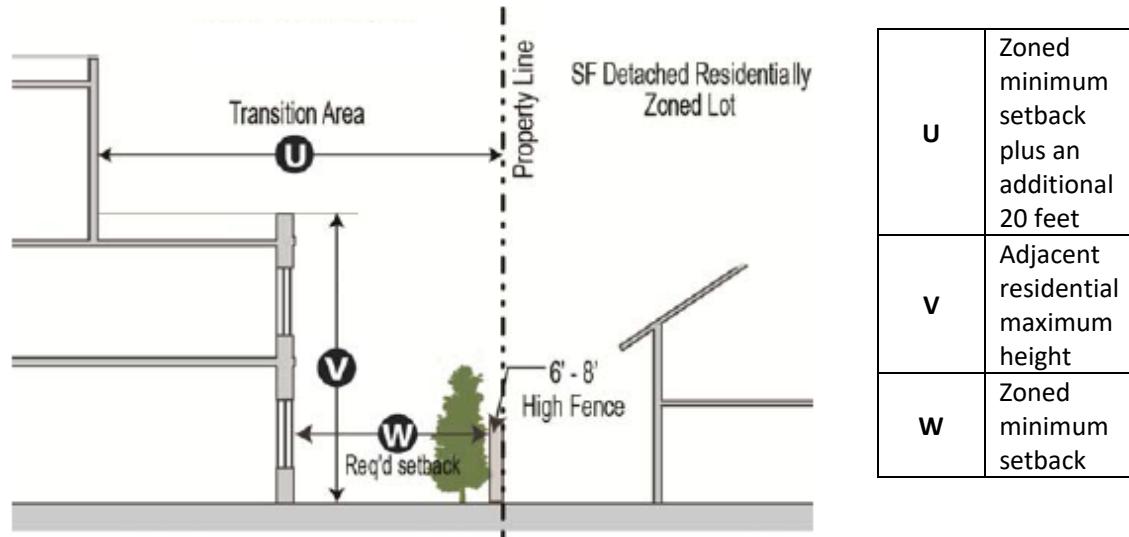


Figure 8.1-3 Illustration of Height Transition to Single-Family Detached zoned lot

d. Building Design

- i. Purpose: Building design directly influences the character and function of non-residential development. The standards of this Section are intended to:
 - 1. Ensure that multiple building or phased commercial developments use compatible schemes of materials, colors, and architectural styles to ensure consistency. This includes accessory structures such as freestanding canopies, accessory and maintenance buildings, and dumpster enclosures;
 - 2. Ensuring that individual buildings have a single definitive, consistent style. Mixing of various architectural styles on the same building is discouraged;
 - 3. Ensure that buildings are designed to a human scale; and
 - 4. Encourage adaptable development by designing buildings to be adaptable for multiple uses over time based on changing market demand.
- ii. 3-Sided Architecture: All building elevations (except any rear service facades) shall be architecturally finished with comparable levels of materials and detailing (e.g., tiles, moldings, cornices, wainscoting, etc.). Blank walls void of architectural details or other variation are prohibited.
- iii. Building Form and Mass: A single, large, dominant building mass shall be avoided in new commercial buildings and redevelopment projects under this Ordinance. Changes in mass shall be related to

entrances, tenant spaces, the integral structure and/or the interior space organization and activities, and not just for cosmetic effect.

iv. **Exterior Walls:** All exterior walls (with exception of rear/service facades) shall be designed with a base and top.

1. **Base:** Façades and walls shall have a recognizable base with (but not limited to):

- a. Thicker walls, ledges or sills;
- b. Integrally textured materials such as stone or other masonry; or
- c. Storefront windows and displays.

2. **Top:** Facades and walls shall also have a recognizable top with (but not limited to):

- a. Cornice treatments, other than colored stripes or bands alone, with integrally textured materials such as stone or other masonry or differently colored materials;
- b. Sloping roof with overhangs and brackets; or
- c. Stepped parapets.

3. **Building Articulation:** Buildings shall be designed to reduce apparent mass by dividing facades into a series of smaller components. No individual component shall have a length of more than 60 feet. Components shall be distinguished from one another through two or more of the following:

- a. Variations in roof form or variations in roof height or parapet of two feet or more;
- b. Changes in wall plane of a minimum ten percent in width and a minimum 24 inches depth;
- c. Variations in the arrangement and recessing of doors and windows;
- d. Recognizable changes in texture or material; or
- e. Decorative columns.

4. **Windows and Transparency:**

- a. At ground level, buildings shall have a high level of transparency. Façades and walls that face the street, pedestrian walkways, plazas and parking areas (excluding the building rear or side) must have transparent windows (visual transmittance of 0.6 or above) for at least 40% of the façade between 2 ft. And 7 ft. Above the grade.
- b. Side facades (non-street fronting) must have transparent windows (visual transmittance of 0.6

or above) for at least 20% of the façade between 2 ft. And 7 ft. Above the grade.

- c. Where the internal arrangement of a building makes it impossible to provide transparency along a portion of a wall as determined by the Administrator, a combination of changing color or texture to imitate the rhythm of windows or storefront displays may substitute for 50% of required transparent areas, except when fronting plaza or sidewalk café areas.
- v. **Roof Forms:** Variations in rooflines shall be used to add interest and reduce the scale of large buildings. Roof features shall correspond to and denote building elements and functions such as entrances, arcades, canopies, etc. They shall also complement the character of the overall development.
 - 1. **Flat Roofs:** Flat roofs shall include parapets that adhere to articulation requirements for the main face of the structure. The average height of the parapet shall not exceed 15 percent of the height of the supporting wall, unless rooftop equipment cannot be sufficiently screened. A three-dimensional cornice treatment is encouraged for parapets. Parapets shall look complete from all sides if visible at any distance from the ground. Parapets shall be constructed of the same material as the primary façade.
 - 2. **Sloped Roofs:** Pitched roofs shall have a minimum pitch of 4:12 for all structures. This requirement excludes roofs for entries and dormers. Any overhanging eaves shall extend at least 2.5 feet past the supporting walls.
- vi. **Building Materials:**
 - 1. **Exterior Walls:** All exterior walls, including parking structures, garages, and accessory structures shall be finished with 80 percent of approved materials. A maximum of 20 percent of each elevation may include accent materials not listed on the approved material list but shall be approved by the Building Official.
 - 2. No single building material shall cover more than 70 percent of any street fronting building façade.
 - 3. The approved material coverage calculation shall not include doors, windows, chimneys, dormers, window boxes, or bay windows that do not extend to the foundation.
 - 4. Approved materials shall be defined as:

- a. Native stone, brick, or tile laid up unit by unit and set in mortar;
 - b. Stucco (exterior Portland cement plaster with three coats over metal lath or wire fabric lath);
 - c. Cultured stone or cast stone;
 - d. Architecturally finished block (i.e. Burnished block, split faced concrete masonry units, or architecturally finished tilt wall that is made to look like masonry); and
 - e. Architecturally finished pre-cast wall that is profiled, sculptured, or provides three dimensional interest similar to masonry;
5. Rear facades that are not adjacent to residential uses or front facades of other non-residential buildings may be constructed with tilt wall concrete, concrete block, or aggregate concrete in addition to the materials permitted in this subsection.
6. **Roof Materials:** Sloped or pitched roofs shall be constructed of asphalt shingles, synthetic shingles, standing seam metal, or tile. Flat roofs may be constructed of any industry-standard material as approved by the Building Official, unless prohibited by this section.
7. **Prohibited Materials:** The following materials are prohibited as exterior cladding or roofing materials:
 - a. Aluminum siding or cladding (with the exception of Architectural metal which is allowed as an accent material),
 - b. Galvanized steel or other bright metal (with the exception of Architectural metal which is allowed as an accent material),
 - c. Wood or plastic (vinyl) siding,
 - d. Unfinished or smooth concrete block/masonry units or concrete wall,
 - e. Exposed aggregate,
 - f. Wood roof shingles, corrugated metal, tar paper, and brightly colored asphalt shingle roof materials are prohibited on all roof types,
 - g. Reflective, mirrored, or opaque glass.
8. **Façade Color:** Façade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of metallic colors, black, or fluorescent colors may only be allowed with City Council approval.

9. Shade Requirements

- a. All development shall provide shaded internal pedestrian walkways along at least 50 percent of all building facades along streets, outdoor gathering spaces, and internal drives along parking areas.
- b. Buildings should be oriented to minimize direct solar exposure on the primary building façade and areas of high pedestrian activity.
- c. Shade may be provided through any or a combination of the following:
 1. Arcades, canopies, or galleries;
 2. Canopy trees;
 3. Trellises or pergolas; or
 4. Any other shading device as approved by the Administrator.

e. Design of Auto-Oriented Elements

i. Drive Through and Drive up Facilities:

1. Off-street stacking lanes for drive-through aisles must be provided as follows:
 - a. Bank teller window, ATM: at least 60 ft. Measured from teller, window or ATM.
 - b. Restaurant drive-through: at least 40 ft. Measured from order box, at least 60 ft. Between order box and first payment or pick-up window.
 - c. Car wash: at least 60 ft. Measured from the wash bay entrance.
 - d. Other uses with drive-through windows (pharmacy, dry cleaners, etc): at least 60 ft. Measured from window.
2. Drive-through aisles must be physically separated from parking and circulation areas by landscape islands, and:
 - a. Cannot interfere with the on-site parking and circulation for other vehicles on the site;
 - b. Cannot interfere with on-site parking; and
 - c. Cannot result in traffic queuing into a drive aisle, adjacent property or street.
3. Drive-through aisles shall be 10 ft. - 12 ft. Wide.
4. Drive-through aisles, stacking, and windows cannot be on a primary street-facing the building.

ii. Design of gas pumps and canopies:

1. There shall be at least 20 ft. For one vehicle stacked behind the vehicle at the far end of a row of gas pumps, and room for other vehicles to bypass stacked vehicles at fueling areas.
2. Canopies shall include design elements found on the main building, including color, materials and roof pitch.
3. Canopy support poles shall include decorative corbels consistent with the overall architectural theme of the site, or pole covers at least 18 in. Wide with a similar surface material and architectural treatments as the dominant material on the main structure.
4. Canopy fascia must be the same color as the dominant color of the main building. Striping and banding on canopies is prohibited.

1.3. Residential Design Standards

- a. Purpose and Intent: The standards of this section are intended to:
 - i. Promote high-quality residential developments that are distinctive, have character, and relate and connect to established neighborhoods;
 - ii. Provide variety and visual interest in the exterior design of residential buildings;
 - iii. Create new neighborhoods that age gracefully and add long term value to the City;
 - iv. Enhance the residential streetscape and diminish the prominence of garages and parking areas;
 - v. Protect property values; and
 - vi. Ensure the compatibility of infill residential development with the existing character of surrounding neighborhoods.
- b. Single-Family and Two to Four Family Residential Building Design Standards
 - i. Applicability: This section shall apply to all new and redeveloped single-family and two to four family residential development in all zoning districts with the following exceptions:
 1. Planned Development districts that have specific residential design standards and are approved after the adoption date of this Ordinance,
 2. Special Districts (Section 5.10 shall apply), and
 3. Any lot platted prior to the adoption of this Ordinance.
 - ii. Façade Design: Façades must be articulated by using color, arrangement, or change in materials to emphasize the façade elements. Exterior wall planes may be varied in height, depth, or direction. Design elements and detailing, including the presence of

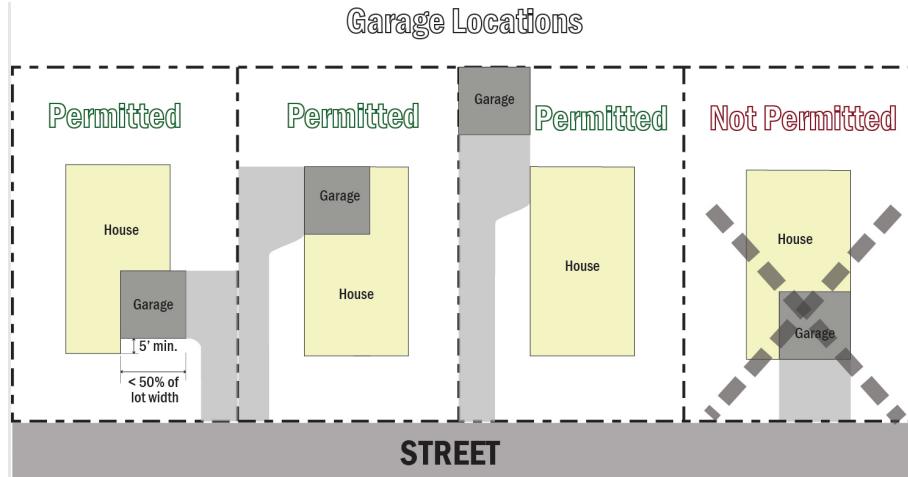
windows and window treatments (for walls that face the public right-of-way), trim detailing, and exterior wall materials, must be continued completely around the structure. Doors and windows must be detailed to add visual interest to the façade.



iii. Garage Design

1. All lots 40' or less in width shall provide garages along alleys.
2. The following graphics indicate the accepted location and placement of garages (attached or detached).

Garage Locations



iv. Building Entrances:

1. All buildings shall have at least one primary entry door oriented towards the primary street. The main entry to the home shall be visible from the street. Two to four family buildings may have side entrances for other units as long as at least one unit has an entrance door oriented towards the primary street.
2. Provide a prominent entry feature (either projected or recessed) that reflects the home's architectural style. Common projected entries are porches and stoops. Two- and one-story recessed entry features that do not incorporate roof overhangs or stoops shall not be permitted.

v. Roof design:

1. Shall be simple gabled or hipped roofs. Excessive number of roof ridges and forms shall be avoided. Gable roofs, if provided, shall have a minimum pitch of 9/12. When hipped roofs are used, the minimum pitch shall be 6/12. Other roof types and proportions shall be appropriate to the architectural style of the home.
2. Roof elements such as dormers, chimneys, skylights, and varying heights and ridgelines may be utilized to ensure good design and neighborhood continuity. However, these shall be appropriately scaled for the architectural style of the home.

Permitted
Simple Roof Structure and Design



Not Permitted
Complex and Multiple Roof Structure



vi. Building Materials:

1. Primary façade materials: May be selected from the following list: masonry (natural stone, brick) or compatible

cementations fiber siding such as hardie-plank siding as approved by the Building Official.

2. When using a mix of primary façade materials, a maximum of 2 primary materials shall be permitted on any facade. An even split of materials (i.e., 50/50) on the facades shall not be permitted. One material shall be at least 2/3rds of the façade.
3. Façade accent materials shall not be limited and excluding doors and windows, they shall be limited to trims, cornices, balconies, eaves, stairs, balustrades, pediments, columns, and other decorative elements.
4. Roof Materials: May be shingles (slate or asphalt), standing seam metal, or tiles (clay or concrete).

c. Multi-Family Residential Building Design

- i. Applicability: This section shall apply to all new and redeveloped multi-family residential buildings in all zoning districts with the following exceptions:

1. Planned Development districts that have specific residential design standards and are approved after the adoption date of this Ordinance,
2. Special Districts (Section 8.1.C shall apply), and
3. Any lot platted prior to the adoption of this Ordinance.

ii. Site Design and Building Orientation

1. Site Access

- a. New multi-family developments with 100 or more units shall have primary access from an arterial street and shall comply with the following standards:

1. A minimum of one secondary point of ingress/egress into a multi-family development may be required for public safety access.
2. No primary vehicular access from a multi-family development shall be provided on a local street serving existing single-family detached development; however, secondary vehicle access may be provided onto local streets.

- b. New multi-family development with fewer than 100 units may take primary access from a collector street, if approved by the Administrator.

2. Entry feature design: The following landscaping standards shall apply to the primary entrance:

- a. The main site entry for multi-family developments shall be treated with special landscape elements that will provide an individual identity to the project.
- b. Site entry and access drives for multi-family development shall include at least three (3) of the following:
 1. A minimum 5-foot wide and '#' long landscaped median;
 2. Textured paving, interlocking pavers, or other decorative pavement (stamped concrete or stamped asphalt);
 3. Gateway elements such as lighting, bollards, entry fences, or monuments;
 4. A roundabout containing landscaping, water feature, or artwork; or
 5. Other improvements as approved by the Administrator.

iii. Building Orientation and Common Open Space

1. Building Orientation:

- a. Buildings must be oriented towards either the perimeter streets, or an internal drive (i.e. Private street) or open space amenity (excludes required yards) that recreates a traditional grid, rather than orientation only to internal parking lots.
- b. Garage entries, carports, parking areas, and parking structures shall be internalized in building groupings or oriented away from the street frontages.

2. Common Open Space:

- a. Shall be a minimum of 10% of the net site area.
- b. Large open space should be the fundamental organizing element of the site. Common open space should be well defined by buildings and streets. Buildings should be oriented in such a way as to create courtyards and open space areas.
- c. Large existing trees and other natural features should be integrated into the site.
- d. Common open space should be centralized and directly accessible to a majority of the

surrounding units. Where possible, it shall be linked by a minimum 5' sidewalk to adjacent parks, paths, and open space areas.

- e. The open space shall be useable areas and no more than 25% of the open space shall be riparian areas or slopes exceeding 3:1.
- iv. Site Amenities Required: In conjunction with the common open space requirements, all multifamily projects shall provide two or more site amenities listed below for the residents. Amenities shall be centrally located for a majority of the residents and may be located within the common open space areas.
 1. Swimming pool.
 2. Sports courts, such as tennis, basketball, or volleyball.
 3. Natural open space area with accessible and connected benches.
 4. Jogging trails.
 5. Fountains, art, or sculpture.
 6. Playgrounds
 7. Other comparable amenity as approved by the Administrator.
- v. Building Design:
 1. 360 degree architecture: All sides of a multi-family building shall display a comparable level of quality and architectural detailing as on the front elevation.
 2. Articulation:
 - a. Maximum length of any multi-family residential building shall be 200 feet.
 - b. No more than 6 townhomes may be attached in any single block.
 - c. Each elevation greater than 30 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 10 percent of the length of the façade, and extending at least 20 percent of the length of the façade.
 - d. The elevations of all multi-family buildings shall be articulated through the incorporation of at least five or more of the following:
 1. Balconies, a minimum of 25 square feet in area;
 2. Bay or box windows;

3. Porches or covered entries that are compatible to the architectural design and size of the building;
4. Dormers;
5. Awnings or canopies;
6. Structural offsets a minimum of four feet from the principal plane of the facade;
7. Accent materials such as brick, stone, or stucco with banding highlights;
8. Ornamental or decorative window grills and shutters;
9. Vertical elements such as towers or building end-caps that demarcate building modules; or
10. Other comparable feature as approved by the Administrator.

3. Height Transition Adjacent to Single-Family: The height of any part of a multi-family building shall not exceed 40 feet or 3 stories if the building is located within 50 feet of a property zoned, used, or intended to be used for detached single-family residential. Buildings and parts of buildings located more than 50 feet away from property zoned for detached single-family residential are subject to height restrictions of the underlying zoning district.
4. Building Entrances:
 - a. Building entries next to a public street, private drive or parking area must be pedestrian-scaled, providing an expression of human activity or use in relation to building size. Doors, windows, entranceways, and other features such as corners, setbacks, and offsets can be used to create pedestrian scale.
 - b. Upper floor residential units shall be accessed via internal corridors and external common balconies on perimeter walls providing access to units are prohibited.
5. Windows:
 - a. All walls and elevations on all floors of multiple household buildings must have windows, except when necessary to assure privacy for adjacent property owners as determined by the Administrator.

- b. Windows should be located to maximize the possibility of occupant surveillance of entryways and common areas.

6. Roof Design:

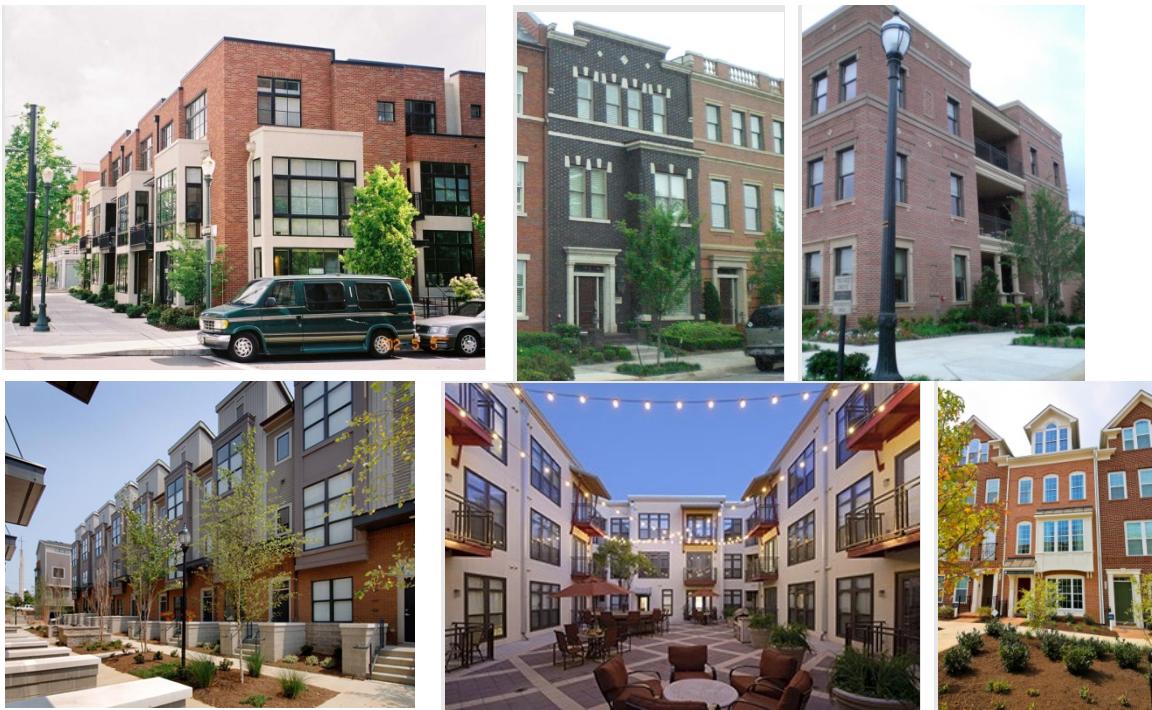
- a. On buildings with pitched roofs, the minimum roof pitch is 6:12.
- b. On buildings where flat roofs are the predominant roof type, parapet walls must vary by a minimum of ten percent in height and/or vary by shape once every 50 ft. Along a wall.
- c. Changing roof forms or towers must be designed to correspond and denote building elements and functions such as entrances and stairwells.

7. Building Materials:

- a. A minimum of 80% of all exterior surfaces (excluding doors and windows) shall be finished with the following materials: Masonry (natural stone or brick), cultured or cast stone or split faced architectural block (CMU) in natural colors made to look like stone.
- b. Fiber cement siding (hardie plank) may be used on upper floor facades only.
- c. Stucco, concrete block, architectural metal, etc., may be used as secondary exterior materials.
- d. In no case shall a building have more than three building materials on any façade (primary and secondary materials only and excludes any trim details, moldings, or decorations)

8. Roof Materials:

- a. Roof materials must be high quality, durable and consistent with the architectural style established for the overall development.
- b. Acceptable roof materials include asphalt shingles, composite or synthetic shingles, standing-seam metal, or tile roofs.



1.4. Special District Design Standards

- a. General to all Special Districts:
 - i. General Layout Standards: Any development within a Special District shall meet the following general standards and principles:
 1. Buildings and landscaping should contribute to the physical definition of Thoroughfares as Civic places.
 2. Development should adequately accommodate automobiles while providing supportive design and programs/incentives to increase the use of other modes of transportation and respecting the spatial form of public areas.
 3. Architecture and landscape design should grow from local climate, topography, history, and building practice.
 4. Buildings should provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
 5. Civic Buildings and public gathering places should be provided as locations that reinforce community identity and support self-government.
 6. The plan should anticipate a harmonious and orderly evolution of the district based on market changes.
 - ii. Special Designations: The following Special Designations are mandatory:

1. Pedestrian Priority Frontage – A pedestrian focused street edge that incorporates appropriate sidewalk space and furnishing zone in front of buildings in Downtown, with buildings brought closer to a historic 0 ft setback. It should have a landscape furnishing zone in Old Town and follow a more flexible setback. Driveway cuts should be limited and alternative alleys or cross access at the rear of the lot should be implemented.
2. Historic Route 66 Frontage – A pedestrian and bike focused street edge that preserves historic roadside architecture and setbacks. This frontage allows a 65' deep double head in row of parking in front of the building to keep with that historic setback.

iii. Building Design Standards:

1. Building Orientation:
 - a. Primary Façade Orientation: Primary building facades for all non-residential and mixed-use buildings shall be oriented towards a Pedestrian Priority frontage designation. A focal point such as a landscaped street, plaza, mews, courtyard, similar formal open space or an environmental feature shall also be considered as a Pedestrian Priority frontage for the purposes of the Special Districts.
2. Building Façade Standards:
 - a. Primary facades along Pedestrian Priority frontages shall contain the main entrance of any principal building located along that street.
 - b. All principal buildings located on a Pedestrian Priority frontage shall also have doors, windows, and other architectural features facing that street. Non-residential or mixed-use corner buildings shall have at least one customer entrance facing each street or a corner entrance instead of two entrances.
 - c. All development shall provide ground floor windows on the building façade facing and adjacent to a street (with the exception of alleys) or facing onto a park, plaza, or other civic space. The required area of windows and doors on each street façade along a Pedestrian Priority frontage, park, square, green, plaza, or other civic space as a percentage of that façade shall be a minimum of 70% for commercial ground floors and a minimum of 30% for all other uses and upper floors. The

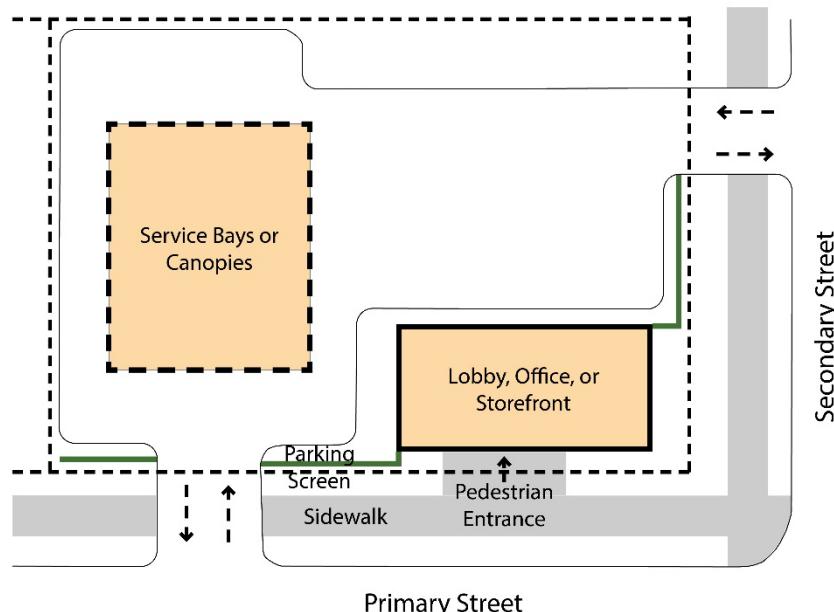
required minimum area of windows and doors on all other street facades (with the exception of alleys) shall be 50% for commercial ground floors and a minimum of 30% for all other uses and upper floors. Darkly tinted windows and mirrored windows that block two-way visibility shall not be permitted along ground floor facades of non-residential uses.

iv. Location and Design of Parking and Service Areas:

1. All surface parking lots for non-residential uses shall be located at the side or rear of a building. Specifically, the frontage of surface parking lots shall be minimized along Pedestrian Priority frontage designations. If located adjacent to other streets or a residential use, screening shall be provided along the length of the parking area, except where sidewalk and vehicular access occurs.
2. A surface parking lot may not be adjacent to a street intersection with a Pedestrian Priority frontage or civic space such as a plaza or square, or occupy a lot that terminates a street vista.
3. Shared parking facilities are encouraged for non-residential uses in all Special Districts.
4. Bicycle parking shall be provided for non-residential uses, multi-family uses, especially for schools, parks, trails, and other recreational facilities. Bicycle parking shall be provided at a rate of 5% of all off-street automobile parking spaces provided for all non single-family residential uses (attached and detached). Bicycle parking may be shared between uses and should be centrally located, easily accessible, covered/protected from the elements, lit at night, and visible from streets or parking lots. They may be located between the roadway and the building facades if their location does not impede pedestrian walkways.
5. Any off-street parking provided for residential uses shall be located in such a manner as to minimize the impact of garages and driveways along the residential street. All residential lots that are 40 feet or less in width shall have off-street parking and/or garages accessed from alleys. Front loaded garages are permitted on lots greater than 40 feet, but in no case shall the width of the garage exceed 50% of the front façade width of the entire building or 24' (whichever is smaller). In addition, the garage shall be set back at least ten (10) feet from the front façade of the home.

v. Design of Automobile Related Site Elements (Drive Throughs, service bays, etc.):

1. Drive-through lanes, drive up windows, service bays, and other auto-related site elements shall not be located along any Pedestrian Priority frontages.
2. Along all other frontages, no more than 60% of the lot's frontage along a such frontage shall be dedicated to auto-related site elements.
3. Drive-through lanes shall be hidden behind a screening device (min. 3' in height) along adjacent streets. There shall be no limit to the number or frontage of drive-through lanes located along alleys.
4. All off-street loading, unloading, and trash pick-up areas shall be located along alleys or rear of buildings only. Such uses may be located along Non-Pedestrian Priority frontages only if the lot has no access to an alley. Any off-street loading, unloading, or trash pick-up areas shall be screened in accordance with [Section 8.2\(C\) Screening and Fencing Standards](#).
5. Driveways shall be located along alleys or Non-Pedestrian Priority frontages unless the site has no access such roadways. Driveway widths shall be a maximum of 24' unless providing service access in which case they shall be no wider than 30'. Driveways shall maintain a continuous and level sidewalk across the curb cut. Driveway spacing shall be per the City Engineering Design Criteria or as approved by the City Engineer. Driveways along State Highways are under the purview of Oklahoma Department of Transportation (ODOT) and shall meet ODOT standards.



vi. Design of Parking Structures

1. All frontages of parking structures located on Pedestrian Priority frontages shall be lined by active edges or commercial ready frontages on the ground floor to a minimum depth of 25'.
2. Parking structure facades on all public streets (except alleys) shall be designed with both vertical (façade rhythm of 20' – 30') and horizontal (aligning with horizontal elements in the block) articulation.
3. Where above ground structured parking is located at the perimeter of a building, it shall be screened in such a way that cars on all parking levels are not visible from adjacent buildings or the street. Parking garage ramps shall not be visible from any public street. Ramps shall not be located along the perimeter of the parking structure with frontage along a Pedestrian Priority designation. Architectural screens shall be used to articulate the façade, hide parked vehicles, and shield car bumpers and headlights.



Images showing appropriate design of parking structures

1.5. Historic District Design Standards (RESERVED)

2. Site Design and Development Standards

2.1. Applicability: Table 8.1-1 shall establish the applicability of this section to new development and redevelopment.

2.2. Off-Street Parking

a. PURPOSE: The regulations of this section are intended to ensure provision of off-street parking and loading facilities in rough proportion to the generalized parking, loading, and transportation demands of different land

uses. By requiring such facilities, it is the intent of this section to help avoid the negative effects associated with spillover parking into adjacent neighborhoods, while at the same time avoiding the negative environmental and urban design effects that can result from large surface parking lots and other vehicular use areas. The provisions of this section are also intended to help protect the public health, safety, and general welfare by:

- i. Helping avoid and mitigate traffic congestion;
- ii. Encouraging multi-modal transportation options and enhanced pedestrian safety;
- iii. Providing methods to help reduce stormwater runoff and the heat island effect of large paved parking areas; and
- iv. Providing flexible methods of responding to the changing transportation and access demands of various land uses in different areas of the city.

b. APPLICABILITY

- i. Generally: The off-street parking and loading standards of this section shall apply to all parking lots and parking structures accessory to any building constructed and to any use established in every district. Except when specifically exempted, the requirements of this section shall apply to all temporary parking lots and parking lots that are the principal use on a site.
- ii. Expansions and Enlargements: The off-street parking and loading standards of this section shall apply when an existing structure or use is expanded or enlarged. Additional off-street parking and loading spaces shall be required to serve the enlarged or expanded area and where possible to reduce the deficiency or parking for the existing building and use, provided that in all cases the number of off-street parking and loading spaces provided for the expanded use shall equal 100 percent of the minimum ratio established in Tables 8.2-1 and 8.2-2.
- iii. Change in Permitted Uses: A permitted use that does not meet the parking requirements of this section may be converted to another permitted use without full compliance with the required number of parking spaces if the Administrator determines:
 1. The maximum possible amount of parking spaces is provided without removing or partially removing a structure.
 2. If a structure or a portion of a structure is voluntarily removed, the resulting area shall be used to provide the additional parking spaces necessary towards fulfilling the requirements of Tables 8.2-1 and 8.2-2.

3. The amount of parking available is at least 75 percent of the parking required for the new use in Tables 8.2-1 and 8.2-2.

iv. Location: Required off-street parking, loading, and vehicle stacking spaces shall be located on the same lot as the principal use, except as otherwise provided in this section.

v. Use Limited to Parking: No required off-street parking facility or loading space shall be used for sales, display of merchandise, non-vehicular or rental vehicle storage, repair, or service activities unless specifically provided for in this Ordinance.

c. OFF-STREET PARKING STANDARDS

i. Off-Street Parking Schedule A: The off-street parking requirements for uses allowed by this Ordinance are listed in Table 8.2-1. The vehicle stacking requirements of Section 8.2.6, Drive-Through Vehicle Stacking Standards, may also be applicable to certain uses.

TABLE 8.2-1: Off-Street Parking Schedule A

USE CATEGORY	USE TYPE	PARKING REQUIREMENT
RESIDENTIAL USES		
Household Living	Dwelling, single-family detached	2 per dwelling unit
	Dwelling, townhouse (SF attached or multi-family)	1.5 per dwelling unit
	Dwelling, live/work	1.5 dwelling unit (work area calculated as retail, office, or commercial use if work area is greater than 30% of the structure)
	Dwelling, multi-family (4DU/lot or fewer)	1.5 per dwelling unit
	Dwelling, multi-family (more than 4DU/lot)	1 per dwelling unit
	Garage apartment, Accessory Dwelling Unit	Not Required
	HUD-Code manufactured home	2 per dwelling unit
Group Living	Assisted living facility (≤ 6 residents)	1 per bed plus 1 per 100 sf of common area
	Assisted living facility (≥ 7 residents)	1 per bed plus 1 per 100 sf of common area
	Boarding house fraternity or sorority house private dorm	0.5 per bed
	Community, group, or foster home	2 per dwelling unit, not to exceed 1 per bedroom
	Independent senior living facility	1 per dwelling unit plus 1 per 100 sf of common area
	Nursing home	1 per 2 beds plus 1 per 100 sf of common area
PUBLIC AND INSTITUTIONAL USES		
Civic and Cultural Facilities	Art gallery, museum, or special purpose recreational institution	1 per 1,000 sf GFA
	Civic, social, philanthropic, or fraternal organizations	3 per 1,000 sf GFA
	Labor or political organizations	3 per 1,000 sf GFA

TABLE 8.2-1: Off-Street Parking Schedule A

USE CATEGORY	USE TYPE	PARKING REQUIREMENT
	Business or professional organizations	3 per 1,000 sf GFA
	Religious Assembly and Institutions	1 per 4 seats. If no fixed seating, then based on 25% maximum capacity of the assembly areas, as determined by the International Building Code.
Parks and Recreation Facilities	Community Garden	1 per 5,000 sf of lot area
	Farmers' Market	Schedule C
	Park or playground	Schedule C. Playfields (soccer, baseball, etc.) Shall have minimum of 20 spaces per field.
	Nature preserve	Schedule C
	Recreation Center	3 per 1,000 sf GFA
Health and Human Services	Clinics and labs	3 per 1,000 sf GFA
	Nursing and other rehabilitative	1 per 2 beds plus 1 per 100 sf of common area
	Hospital	1 per 4 beds based on 80% of maximum capacity, plus 3 per 1,000 sf GFA of office area, plus parking as required for accessory uses
	Social assistance and welfare services	3 per 1,000 sf GFA
	Funeral homes and services (with or without cremation services)	3 per 1,000 sf GFA
	Cemetery	Schedule C
	Legislative and executive functions	3 per 1,000 sf GFA
Public and Other Government Functions	Courts (local, state, and federal)	3 per 1,000 sf GFA
	Correctional institutions	Schedule C
	Public safety facility	3 per 1,000 sf GFA
	Other government functions	3 per 1,000 sf GFA
	Child day care	3 per 1,000 sf GFA
Educational Service Establishments (public and private)	Nursery and pre-school	3 per 1,000 sf GFA
	Elementary and Middle Schools	2 per classroom
	Senior and High Schools	6 per classroom and 1 per 300 sf of administrative office space
	Colleges and Universities	Schedule C
	Technical, trade, and specialty schools	3 per 1,000 sf GFA
COMMERCIAL USES		
Agriculture	All	None
Animal Production and	All	None
Animal-related Services	Veterinary clinic	2 per 1,000 sf GFA
	Kennels, commercial	1 per 1,000 sf GFA
	Stables, commercial	1 per 5 stalls
	Pet and animal-related sales and services (including grooming and care)	3 per 1,000 sf GFA
Auto Sales, Equipment, and Repair	Motor vehicle sales, new	2 per 1,000 sf GFA of sales floor area
	Motor vehicle sales, used	2 per 1,000 sf GFA of sales floor area
	Large vehicle sales and service	1 per 1,000 sf GFA of sales floor area
	Specialty vehicle sales, new	2 per 1,000 sf GFA of sales floor area
	Specialty vehicle sales, used	2 per 1,000 sf GFA of sales floor area
	Auto repair and service, minor	2 per 1,000 sf GFA of sales floor area
	Auto repair and service, major	2 per 1,000 sf GFA of sales floor area

TABLE 8.2-1: Off-Street Parking Schedule A

USE CATEGORY	USE TYPE	PARKING REQUIREMENT
	Car and truck wash	2 spaces plus any stacking spaces required. See Section 5.6.6
	Auto-related parts and accessory sales	2.5 per 1,000 sf GFA
	Gasoline sales pumps	Stacking spaces required. See Section 5.6.6.
Retail Sales	Furniture and home furnishings	≤ 20,000 sf: 3 per 1,000 sf GFA Over 20,000: 1 per 1,000 sf GFA
	Building materials, Home and Garden Centers	≤ 20,000 sf: 3 per 1,000 sf GFA Over 20,000: 1 per 1,000 sf GFA
	Swimming pool, spa, and accessory sales and service	2 per 1,000 sf GFA
	All other retail uses (other than those specifically listed here)	3 per 1,000sf GFA
	Any retail sales use with gasoline sale pumps	Stacking spaces required. See Section 5.6.6.
	Any retail sales use with drive-thru facilities	Stacking spaces required. See Section 5.5.6.
	All uses	2.5 per 1,000 sf GFA
Rental and Leasing	Car rental	2.5 per 1,000 sf GFA
	RV, trailers, and truck rental	2 per 1,000 sf GFA
	Recreational and consumer goods rental	2 per 1,000 sf GFA
	Commercial and industrial machinery leasing and rental	1 per 1,000 sf GFA
	Video, music, or software rental	3 per 1,000 sf GFA
Food and Beverage Services	Full-service restaurant	8 per 1,000 sf GFA, including outside dining/drinking areas.
	Café or self-service restaurant	8 per 1,000 sf GFA, including outside dining/drinking areas.
	Restaurant with take-out or delivery only	3 per 1,000 sf GFA
	Snack, coffee, juice, ice cream, or specialty food sales	8 per 1,000 sf GFA, including outside dining/drinking areas.
	Catering service	3 per 1,000 sf GFA
	Any food and beverage establishment with drive-thru facility	6 per 1,000 sf GFA, including outside dining/drinking areas plus any stacking spaces required. See Section 5.6.6
	Any food and beverage establishment with outdoor or sidewalk service	Same as full-service restaurant
Lodging Facilities	Bed and breakfast establishment	1 per guest room, in addition to those required for principal residence
	Limited Service Hotels/Motels (including extended stay hotels)	1 per guest room or residence unit up to 100 units, then 0.75 per unit over 100. 50% of spaces may be counted to satisfy parking requirements of accessory uses
	Full-service hotels	1 per guest room or residence unit up to 100 units, then 0.75 per unit over 100. 50% of spaces may be counted to satisfy parking requirements of accessory uses
Business, Professional, and Technical Services	All office uses other than specified in this section	3 per 1,000 sf GFA
	Medical and Dental Offices	4 per 1,000 sf of GFA
Personal Services	Bail bond service	3 per 1,000 sf GFA
	General personal services (other than listed)	3 per 1,000 sf GFA
	Massage therapy clinic	3 per 1,000 sf GFA

TABLE 8.2-1: Off-Street Parking Schedule A

USE CATEGORY	USE TYPE	PARKING REQUIREMENT
Recreation and Entertainment (Indoor)	Tattoo parlor or piercing studio	3 per 1,000 sf GFA
	Banquet or meeting facility	8 per 1,000 sf GFA
	Fitness club, gym, or sports club	8 per 1,000 sf GFA
	Games arcade	8 per 1,000 sf GFA
	Skating rink (ice, roller skating, etc.)	Schedule C
	Bowling, billiards, pool, bingo, etc.	8 per 1,000 sf GFA
	Indoor amusement establishment	Schedule C
	Shooting club	2 per target area
	Theater (movie, music, drama, or dance)	1 per 4 seats
	Recreation, indoor (other than listed)	Schedule C
Recreation and Entertainment, Outdoor	Country club	4 per 1,000 sf GFA
	Golf course	4 per green
	Gun club, skeet, or target range (outdoor)	2 per target area
	Major tourist attraction	Schedule C
	Recreation, general outdoor (other than listed)	Schedule C
	Marina	Schedule C
Sexually Oriented Business	All uses	8 per 1,000 sf GFA
INDUSTRIAL USES		
Manufacturing and Wholesale Trade	Food and beverage processing	Schedule B
	Microbrewery, micro distillery, winery	Schedule B
	Paper and printing materials	Schedule B
	Furniture and related products	Schedule B
	Machinery, appliance, electrical equipment, electronics, and components	Schedule B
	Transportation equipment and automobiles	Schedule B
	Miscellaneous manufacturing (jewelry, toys, games, office supplies, custom crafts, etc.)	2 per 1,000 sf GFA
Wholesale Trade	All uses	Schedule B
Warehouse and Storage	Cold Storage Plant	Schedule B
	Distribution center or warehouse	Schedule B
	Self-storage or mini storage	1 per 20 storage units, plus 2.5 per 1,000 sf GFA of office area
Construction-related businesses	All uses	Schedule B
Transportation-related Uses	Air transportation related uses	2.5 per 1,000 sf GFA of passenger terminal area
	Rail transportation related uses	Schedule C

TABLE 8.2-1: Off-Street Parking Schedule A

USE CATEGORY	USE TYPE	PARKING REQUIREMENT
Utilities and Utility Services	Local transit related uses (vans, buses, commuter rail, light rail, etc.)	Schedule C
	Intercity bus and charter service uses	Schedule C
	Taxi and limousine service	Schedule C
	Courier, messenger, and postal services	Schedule C
	Truck and freight transportation services	Schedule B
Utilities and Utility Services	Utility lines, towers or metering/pumping station	Schedule C
	Sewer, solid waste, recycling, and related services	Schedule C
	Natural gas, petroleum, fuel related services	Schedule C
	Electric utility services (includes generating plants and substations)	Schedule C
	Telecommunications equipment and facilities (building mounted)	None
	Telecommunications towers	1 space
	All other utility related uses (other than listed)	Schedule C

ii. Off-Street Parking Schedule B: Uses that reference Schedule B in Table 8.2-1, Off-Street Parking Schedule A, shall provide the minimum number of spaces identified in the table below.

TABLE 8.2-2: Off-Street Parking Schedule B

Use or Activity	Required Number of Spaces
Office or administrative area	2 per 1,000 square feet GFA
Indoor sales area	3 per 1,000 square feet GFA
Indoor storage, warehousing, assembly, vehicular service, or manufacturing area:	1-3,000 square feet of floor area
	3 per 1,000 square feet GFA
	3,001-5,000 square feet of floor area
	2 per 1,000 square feet GFA
5,001-10,000 square feet of floor area	1.25 per 1,000 square feet GFA
	0.8 per 1,000 square feet GFA
10,001 or more square feet of floor area	0.8 per 1,000 square feet GFA
Outdoor sales, display, or storage area (3,000 square feet or less)	1.25 per 1,000 square feet GFA
Outdoor sales, display, or storage area (more than 3,000 square feet)	1 per 1,000 square feet GFA

NOTE: The total number of required spaces is cumulative based on the variety of different functions present in a single use.

iii. Off-Street Parking Schedule C: Uses that reference Schedule C in Table 8.2-1, Off-Street Parking Schedule A, have widely varying parking characteristics that make it difficult to establish a single standard. Upon receiving an application for a use subject to Schedule C standards, the Administrator shall apply the off-street

parking standard specified for the listed use that is deemed most similar to the proposed use. The Administrator may also establish off-street parking requirements based on a parking analysis prepared by the applicant. Such analysis shall include estimates of parking demand based on recommendations of the Institute of Transportation Engineers, or other acceptable estimates, and shall include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability shall be determined by density, scale, bulk, area, type of activity, and location. The analysis shall document the source of data used to develop the recommendations. The off-street parking requirement determined by this analysis may be sent to the City Council for appeal.

d. COMPUTATION OF PARKING AND LOADING REQUIREMENTS

- i. Fractions: When measurements of the number of required spaces result in a fractional number, any fraction exceeding 0.5 shall be rounded up to the next higher whole number.
- ii. Multiple Uses: Lots containing more than one use shall provide parking and loading in an amount equal to the total of the requirements for all uses. No off-street parking space provided for one type of use or building shall be included in calculation of the off-street parking requirements for any other use or building except as prescribed in Section 8.2-2.g, Parking Alternatives, of this Ordinance.
- iii. Area Measurements: Unless otherwise specified, all square footage-based parking and loading standards shall be computed based on gross floor area of the use in question. Structured parking within a building shall not be counted as gross floor area in such measurement.
- iv. Off-Street Loading and Service Areas: Required off-street loading spaces shall not be counted as off-street parking spaces in computation of required off-street parking spaces. Parking spaces located in buildings used for repair garages or car washes, and spaces in drive-through lanes shall not be counted as meeting the required parking.
- v. Parking Based on Occupants: Except as provided for in this section, when the standards use the number of occupants as a unit of measurement, all calculations shall be based on the occupant load as determined by the International Building Code.
- vi. Parking Based on Seating: When the standards use seating as a unit of measurement, all calculations shall be based on the occupant

load of the areas used for seating as determined by the International Building Code.

vii. **Parking for Unlisted Uses:** Parking requirements for uses not specifically listed in Table 8.2-1, Off-Street Parking Schedule A, shall be determined by the Administrator based on the requirements for the closest comparable use, as well as on the parking demand and trip generation characteristics of the proposed use. The Administrator may alternately require the submittal of a parking demand analysis that justifies estimates of parking demand based on the recommendations of the Institute of Transportation Engineers, and includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location. The off-street parking requirement determined by this analysis may be sent to the City Council for appeal.

viii. **Special Parking Requirements in Certain Zoning Districts**

1. **Special Districts**
 - a. Given the mixed use and redevelopment goals of the Old Town District in addition to the focus on walkability, Table 8.2-3 shall establish the parking schedule for all uses in the Special Districts.

Table 8.2-3 Special District Parking Schedule				
Character Zone	Downtown, Old Town, Will Rogers, and West Bend	Special District Transitions	PUD, TND, CSD	Additional Criteria
Min. Off-Street Parking Requirement				
All Non-Residential uses and ground floor Commercial Ready spaces	1 space per 500 sq.ft. Of building area (the first 2,000 sf of a building shall be exempt from any parking requirement)	1 space per 400 sq.ft. Of building area	1 space per 400 sq ft of building area, if within 250 of an existing RSF district.	<ol style="list-style-type: none"> 1. Off-site parking may be provided per Section 8.2.3. 2. Landscaping within surface parking lots shall meet standards in Section 8.3 of this Ordinance. 3. A shared parking plan or alternative parking plan may be approved by the Administrator as an Alternative Parking Plan 4. On-street parking located along any public street shall be counted towards the required off street parking 5. Accessory Dwelling Units (adu's) are exempt from parking requirements.
Residential uses (except adus)	0.5 spaces per each dwelling unit	1.0 space per each dwelling unit	1.0 space per each dwelling unit	
Lodging uses (hotels and motels)	0.5 spaces per guest room; all other areas shall be parked at the non-residential rate above	0.75 spaces per guest room; all other areas shall be parked at the non-residential rate above	Alternative Parking Plan required	

- e. ACCESSIBLE PARKING: In addition to the required off-street parking identified in Section 8.2.3, Off-Street Parking Standards, accessible parking shall be provided for multi-family and all non-residential uses in accordance with the Americans with Disabilities Act and the Texas Accessibility Standards.
- f. DRIVE-THROUGH VEHICLE STACKING: The following standards shall apply to buildings that contain a drive-through use, regardless if the drive-through is part of another use (e.g., restaurant or financial institution) or if it is a stand-alone use (e.g., automatic teller machine).
 - i. Location of Stacking Lanes and Use of Audible Electronic Devices
 - 1. Stacking lanes shall not be located between the building and the street rights-of-way.
 - 2. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be audible beyond the property line of the site.
 - 3. No service shall be rendered, deliveries made, or sales conducted within the required front yard or corner lot side yard; customers served in vehicles shall be parked to the sides and/or rear of the principal building.
 - 4. All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.
 - ii. Stacking Space and Lane Requirements
 - 1. The number of required stacking spaces shall be as provided for in Table 8.2-4, Stacking Space Requirements.

TABLE 8.2-4: Stacking Space Requirements

Activity	Minimum Stacking Spaces (per lane)	Measured From:
Bank, Financial Institution, or Automated Teller Machine (ATM)	2	Teller or Window
Restaurant	4	Pick-Up Window
Full Service or Automated Vehicle Washing Establishment	4	Outside of Washing Bay
Fuel or Gasoline Pump Island	1	Pump Island
Other	As determined by the Administrator	

- iii. Design and Dimensions: Stacking lanes shall be provided for any use having a drive-through establishment and shall apply comply with the following standards:
 - 1. Drive-through stacking lanes shall have a minimum width of ten feet.
 - 2. When stacking lanes are parallel to other stacking or bypass lanes, separation shall be required by means of a five-foot wide landscaped median or island.
 - 3. Bypass lanes are required for all stacking lanes.
- g. ALTERNATIVE PARKING PLAN: Alternatives to providing the number of off-street parking spaces required by Section 8.2.3, Off-Street Parking Standards may be approved in accordance with the following standards.
 - i. Off-Premise Parking: An off-premise parking facility may be approved to accommodate either required or additional parking subject to the following conditions:
 - 1. The off-premise parking facility shall be located within 600 feet from an entrance, as measured along the shortest practical walking route, to the structure for which it will be used.
 - 2. Off-premise parking shall be connected to the use by a minimum 5' sidewalk or surfaced path.
 - 3. Residential parking or ADA accessible parking may not be provided in off-premise facilities.
 - 4. Off-premise parking shall have the same or more intensive zoning classification as the primary use served.
 - 5. Off-premise parking must be located in an offsite parking easement recorded on the Final Plat.
 - ii. Shared Parking: Shared parking facilities for developments or uses with different operating hours or different peak business periods may be approved if the shared parking complies with all of the following standards:
 - 1. Location: Shared parking spaces shall be located within 600 feet of a public entrance to the uses served unless remote parking shuttle bus service is provided.
 - 2. Zoning Classification: Shared parking areas for non-residential uses shall not be located on residentially zoned property including multi-family residential property.
 - 3. Shared Parking Analysis: Where shared parking is contemplated, the applicant may be required to include parking accumulation analyses as a part of the request for approval. The analysis shall include the parking demand for each hour over a 12- to 24-hour period for a typical

high-volume day. This will determine the minimum number of spaces that shall be provided. Based on the analysis submitted, if the maximum number of vehicles accumulated during a peak hour or hours for all overlapping uses exceeds the number of spaces that are required to be provided, shared parking shall be limited. A prorated number of shared parking spaces may be permitted based on the justification information of the analysis.

4. **Agreement for Shared Parking:** A shared parking plan will be enforced through a written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be submitted to the Administrator for review and approval. The applicant shall record the agreement prior to the issuance of a building permit or certificate of occupancy for any use to be served by the shared parking. A shared parking agreement may be terminated if all required off-street parking spaces are to be provided in accordance with the requirements of Section 5.5.3, Off-Street Parking Standards.
5. Shared parking agreements that existed prior to the adoption of this Ordinance shall continue in force.
6. Amendments to pre-existing agreements shall be made pursuant to the terms of this Section and shall be done by written agreement.

- iii. **Public Parking: Credit for Nearby Public Parking:** Spaces available in public parking areas located within 1,000 feet of the subject use may be counted toward the total amount of required off-street parking if connected to the use by a minimum 5' sidewalk or surfaced path and the Administrator determines that the spaces are reasonably available for the use.

- iv. **Additional Reductions in Parking:** The City Council may allow an additional reduction in the required number of parking spaces (less than what is determined using the adjusted off-street parking calculation). A parking demand analysis, prepared in accordance with the Administrator's guidelines by a qualified parking or traffic consultant, substantiating the basis for granting a reduced number of spaces is required.

h. PARKING FACILITY LOCATION AND DESIGN

i. Parking Space Dimensions

1. No parking space shall be less than 18 feet in length and nine feet in width, except as provided below.

2. Parking spaces may be reduced in length when a tire-stop curb is installed 16 feet from the maneuvering lane and a clear space of two feet is provided for a vehicle to overhang. The overhang is not permitted over public property, sidewalks, a landscaped area, or a setback in which parking is not permitted. Such reduction is permitted only when the width of the maneuvering lane is maintained at 26 feet.
3. A maximum of 10 percent of the required parking spaces may be designed and reserved for compact cars. Compact car parking spaces will be a minimum of eight feet by 16 feet and shall be clearly identified with either a sign or pavement marking limiting the spaces to compact cars. The minimum parking aisle width is 24 feet.

ii. Design of Parking Spaces: The following shall apply in all zoning districts.

1. Parking Prohibited in Rights-of-Way and Drive Lanes:
 - a. No private off-street parking facility shall be located, in whole or in part, in a public street or sidewalk, parkway, alley, or other public right-of-way.
 - b. No off-street parking or loading space shall be located, either in whole or in part, within any fire lane required by ordinance of the City or within aisles, driveways, or maneuvering areas necessary to provide reasonable access to any parking space.

iii. Parking Area Location and Layout in Non-Residential Districts: The following shall apply in the non-residential zoning districts except Special Districts.

1. Parking Location: Sites shall be designed with buildings closer to the street with parking located to the side and rear of the site to avoid views of large, paved parking areas from public rights-of-way. However, the City Council may adjust this requirement based on the prevailing development patterns or future vision for the area in order to be consistent with the established pattern of development along the street to create a better context for the future of the area.
2. Parking Area Layout: Surface parking areas shall be divided into sub-areas, each accommodating no more than 200 vehicles. Each parking sub-area shall be separated by a

minimum 15-foot wide landscaped island, which shall include pedestrian walkways and shade features such as trees and/or arbors. This technique shall be used to minimize the view of a “sea of parking” between the building and the principal street and to require that the majority of off-street parking be located to the side or rear of the buildings served. Surface parking lots shall comply with the requirements in Article IX Section 9.2.2, Parking Lot Landscaping.

3. Circulation Area Design: Circulation areas shall be designed to facilitate the safe movement of vehicles without posing a danger to pedestrians or impeding the function of the parking area. Parking lots shall maintain safe circulation patterns and access to public streets.

iv. Parking Area Location and Design in the Special Districts: Shall be in accordance with requirements specified in Article VI – Zoning Districts

i. MINIMUM OFF-STREET LOADING STANDARDS

- i. Off-street facilities shall be provided and maintained for receiving and loading of merchandise, supplies, and materials within a building or on the premises.
- ii. Required off-street loading facilities may be adjacent to an existing public alley or private service drive or may consist of a berth within a structure.
- iii. No portion of a loading facility may extend into a public right-of-way or into an off- street parking facility.
- iv. The off-street loading spaces or truck berths shall provide maneuvering areas on site to prevent any blockage of public right-of-way.
- v. Off-street loading spaces shall be screened in compliance with the provisions of Section 8.2.C.4, Screening of Service, Loading, and Storage Areas.

2.3. Screening and Fencing Standards

a. COMMERCIAL AND MULTI-FAMILY SCREENING

i. LANDSCAPE BUFFER STRIP

1. A minimum ten-foot-wide landscape buffer-strip must be provided along the entire length of the portion of the perimeter of any commercial or industrial lot that abuts, without an alley or drive separation, or is directly across a public street from a residential zoning district, exclusive of driveways and access-ways.

2. If the proposed commercial structure exceeds 24 feet in height adjacent to an alley, a ten-foot buffer shall also be required along the length of the alley.
3. No landscape buffer-strip will be required between any commercial lot that abuts another commercial lot or any industrial lot that abuts another industrial lot. A five-foot-wide landscape buffer strip must be provided between commercial lots and industrial lots.

ii. SCREENING OF SERVICE, LOADING, AND STORAGE AREAS

1. All service areas in commercial zoning classifications shall be placed at the rear or side of the buildings and screened from:
 - a. All public streets; and
 - b. Any residential district that abuts or is directly across a public street or alley from the service area.
2. All service areas in industrial zoning classifications shall be placed at the rear or side of the buildings and screened from:
 - a. Arterial streets, as indicated on the city's thoroughfare plan; and
 - b. Any residential district that abuts or is directly across a public street or alley from the service area.
3. The screening device shall consist of an opaque architectural screen or fence (wood, precast, tilt wall and concrete block are prohibited) that substantially conforms to the color, detailing, and building materials of the principal structure.
4. Screening shall be a minimum height of eight feet to screen truck berths; loading docks; and areas designated for permanent parking or storage of heavy vehicles, equipment, or materials shall have screening height no less than the height of the materials being stored.
5. Screening shall be long enough to screen the maximum size trailer that can be accommodated on site.

iii. SCREENING FROM RESIDENTIAL USES

1. Any commercial or industrial use or parking lot that has a side or rear property line contiguous to any residential use or parking lot that has a side or rear property line contiguous to any residential use, shall be screened with a masonry fence (precast, tilt wall and concrete block are

prohibited) six feet in height. As an alternative, berms in conjunction with a minimum of a six-foot wrought fence and a combination of trees and shrubs can be utilized to meet the screening requirements if the Administrator determines that the proposed alternative will provide sufficient screening. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or driveway.

2. Prior to construction of any required screens, complete construction plans showing type of material, depth of beam, and structural support shall be analyzed by the Building Official to determine whether or not:
 - a. The screen will withstand the pressures of time and nature;
 - b. The screen adequately accomplishes the purpose for which it is intended.
3. Construction plans shall be designed and sealed by a licensed professional engineer and approved by the City.
4. Such screen shall be constructed prior to the issuance of a certificate of occupancy for any building or portion thereof unless approved by the Administrator.
5. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the City.

b. RESIDENTIAL SUBDIVISION SCREENING AND BUFFERING

- i. Required Screening: Screening is required for all single-family detached, two-family, and townhome lots and subdivisions as follows:
 1. Back of Lots – The rear property line of all lots that back to an arterial or collector thoroughfare;
 2. Side of Lots – The side property line of all lots that side to an arterial or collector thoroughfare; and
 3. Between Streets/Alleys – Between any street and an adjoining parallel alley.
- ii. Screening Plan
 1. Preliminary Screening Plan – A Preliminary Screening Plan shall be submitted with the Preliminary Plat.

2. Final Screening Plan – A Final Screening Plan, including entry features and showing all elevations and materials, shall be submitted with the construction plans. The Screening Plan shall be reviewed and considered for approval by the Administrator prior to approval of the construction plans, and prior to scheduling a Pre-Construction Meeting.
3. Screening walls and fences shall be designed and sealed by a licensed professional engineer and approved by the City.
4. Timing of Installation and Inspection – Upon installation of the required screening, the developer shall contact the Administrator to request final inspections of screening elements. All required screening shall be installed prior to City issuance of a Letter of Final Acceptance.
5. Surety Provided for Delay – The developer may request delaying the installation of screening by providing a surety bond to guarantee the installation of required screening. Such surety shall be in an amount equal to 110% of the estimated cost as determined by a licensed landscape architect. The surety bond must be issued by a company licensed to do business in the State of Texas and shall be authorized by and approved by the City Attorney. If the request to delay is approved by the Administrator, required screening shall be installed within six (6) months following the date of issuance of the Letter of Final Acceptance.

iii. Landscape Buffer Design Standards

1. Landscape Plan – A Landscape Plan for landscaping that will be installed for the development, including landscaping for common and amenity areas, entryways and thoroughfare screening, shall be submitted upon approval of the Final Plat by the Planning and Zoning Commission and shall be approved by the Administrator prior to scheduling a Pre-Construction Meeting.
2. Standards – Landscape materials and installation shall be in accordance with Landscape Requirements in Section 8.3.
3. Timing of Installation and Inspection – Upon installation of all landscaping, including that required for thoroughfare screening, the developer shall request a final inspection of landscaping elements by the Administrator. All required landscaping shall be installed prior to the City's issuance of

a Letter of Final Acceptance, excluding model homes which may be released early.

4. Surety Provided for Delay – The developer may request delaying the installation of landscaping by providing a surety bond to guarantee the installation of required screening. Such surety shall be in an amount equal to 110% of the estimated cost as determined by a licensed landscape architect. The surety bond must be issued by a company licensed to do business in the State of Texas and shall be authorized by and approved by the City Attorney. If the request to delay is approved by the Administrator, required landscaping shall be installed within six (6) months following the date of issuance of the Letter of Final Acceptance.

iv. Screening and Landscape Options: Screening required by this Section shall be installed by the developer in accordance with the approved Screening and Landscaping Plan(s), as applicable.

Table 5.3-2 Screening and Landscape Options

Screening Option	Landscape Edge	Screening Wall/Fence Type	Trees/Frontage	Shrub Screen	Berms
Option 1 (Lots back or side to Thoroughfare)	4-6 Lane Divided: 10 feet 3-4 Lane Undivided: 15 feet	Continuous min. 6-foot solid masonry (max 8-foot)	One 4-inch caliper tree per 40' frontage on average	Not required	Not required (max. Slope 3:1 if used)
Option 2 (Lots separated from Thoroughfare by alley)	4-6 Lane Divided: 10 feet 3-4 Lane Undivided: 15 feet	Continuous min. 4-foot (max 8-foot) solid masonry w/ min. 6-foot solid evergreen shrub screen; or Continuous min. 4-foot (max 8-foot) ornamental metal fence w/ min. 6-foot solid evergreen shrub screen; or Continuous min. 6-foot (max 8-foot) solid masonry wall	One 4-inch caliper tree per 40' frontage on average	Min. 6-foot solid evergreen shrub screen at time of planting (not required if 6-8 foot solid masonry wall is used)	Not required (max. Slope 3:1 if used)
Option 3 (Lots back or side to Thoroughfare but separated by alley)	25 feet	Min 4-foot (max 6-foot) ornamental metal fence	One 4-inch caliper tree per 40' frontage on average	Min. 6-foot solid evergreen shrub screen at time of planting	Not required (max. Slope 3:1 if used)
Option 4 (Req'd for bulb portion of cul-de-sac where lots side to adjacent street)	4-6 Lane Divided: 10 feet 3-4 Lane Undivided: 15 feet Residential Streets: None	Sidewalk centered on the common property line connecting the cul-de-sac & adjacent street sidewalk through wall/fence opening Non-residential Thoroughfares: Screening Options 1, 2, or 3 Residential Streets: Continuous 4-8 foot ornamental metal fence (not exceeding height of adjacent/connecting walls or fences)	Six 4-inch caliper trees evenly spaced within 150 feet, centered on the common property line.	Min. 3-foot evergreen shrub screen at time of planting, planted at approximately 5-foot on center within a distance of 150-feet centered on the common property line	Not required (max. Slope 3:1 if used)

1. **Landscape Edge** – All landscaping and screening walls provided to meet subdivision screening requirements shall be located within a private “non-buildable” lot (shown on the Preliminary and Final Plats) located between the City’s right-of-way line and the nearest residential property line within the subdivision (with the exception of cul-de-sac bulbs (Option 4), where the required ornamental fence shall be located entirely upon the cul-de-sac lots abutting the adjacent street). The “non-buildable” lot shall be dedicated to, owned by, and maintained by the subdivision’s Homeowners’ Association (HOA). Required landscape edges shall be exclusive of all required street and right-turn rights-of-way, drainage easements, and utility easements.
2. **Screening Walls & Perimeter Fences** – All required screening walls and fences shall be maintained by the HOA. A minimum five (5) foot wide wall maintenance easement, dedicated to the HOA, shall be provided on all lots abutting the required screening along the full length of the required screening wall or fence, unless separated by an alley. Refer to Section 5.3.3 in this Article for further information regarding perimeter fencing.
3. **Trees and Shrub Screens** – All required screening trees and shrubs shall be planted within the landscape edge (except for as provided for cul-de-sac bulbs). All trees required for screening shall be of evergreen drought-tolerant species selected from the City’s Approved Plant List (in the appendices of this Ordinance), and shall be subject to approval by the Administrator. Minimum tree size shall be at least four caliper inches (4”), and a single species of tree shall not exceed forty-five percent (45%) of the plantings for all screening options. All trees shall be planted a minimum of four feet (4’) from easements, curbs, utility lines, screening walls, fences, sidewalks and alleys, as determined by the Administrator.
 - a. **Solid Shrub Screens** – For solid shrub screens, evergreen shrubs from the City’s Approved Plant List (in the appendices of this Ordinance) shall be used that are low- maintenance, drought-tolerant, and insect- and disease-resistant. Shrubs shall be spaced such that they will provide a solid and

unbroken minimum six-foot (6') tall and two-foot (2') wide screen upon planting.

4. Cul-De-Sac Bulbs – For all cul-de-sac bulbs that abut, or “open”, onto an adjacent street, the following additional screening standards shall apply:
 - a. All required trees and other landscape materials shall be located within the side yards of the cul-de-sac lots abutting the adjacent street and within a landscape easement of an adequate width unless a landscape edge, dedicated to and maintained by the HOA, is provided.
 - b. Trees required for screening do not count toward the number of trees required for residential lots in this section of the Ordinance.
 - c. A minimum ten-foot (10') separation, or the required landscape edge width, whichever is greater, shall be provided between the right-of-way for the cul-de-sac and the right-of-way for the adjacent street. A sidewalk shall be provided to connect the sidewalk along the adjacent street to the sidewalk along the cul-de-sac within a fifteen foot (15') pedestrian access easement.
5. Berms – Berms may be used in conjunction with any screening option, subject to approval by the Administrator. Berms shall be placed within the landscape edge on private property (i.e., not within public right-of-way), shall not exceed a three-to-one (3:1) slope, and shall be designed such that they do not hinder maintenance, storm drainage, accessibility or visibility. Topographic information for berms shall be shown on the Landscape Plan and on the Grading and Drainage Plans for the development.

v. Wall Elevations and Living Screens

1. The minimum height of required walls and fences shall be measured from the nearest alley edge, rear lot property line (where no alley exists), or street-side sidewalk grade, whichever is higher. The maximum height of columns, including capstones, shall be nine (9) feet.
2. If the top-of-wall elevation for a required screening wall is less than six (6) feet, as measured in accordance with this Section, a solid, irrigated living screen shall be used in

combination with the screening wall to provide the necessary screening at the appropriate height from grade.

3. An irrigated living screen consisting of large evergreen trees (a minimum height of six (6) feet at time of planting) and additional large evergreen shrubs (a minimum of seven (7) gallon and be capable of attaining six (6) feet in height in two growing seasons) that are appropriate for screening purposes (selected from the City's Approved Plant List in the appendices this Ordinance) shall be planted within the landscape edge where the height deficiency occurs.
4. All plant materials used for living screens shall be insect- and disease-resistant and shall be plant species that are well freeze-hardy, low maintenance, well-adapted to the north central Texas area, and drought-tolerant such that they are self-sustaining with minimal irrigation and care.
5. When an irrigated living screen is utilized, the Landscape Plan shall demonstrate adequate visual screening at the heights required and within required time frames.

vi. Irrigation Requirements: An automatic, underground irrigation system shall provide one hundred percent (100%) coverage for all living screens and plantings, and shall conform with the following:

1. Line Placement – Irrigation lines shall be placed a minimum of two and one-half (2½) feet from the sidewalk. The main irrigation lines, section lines and zone valves for irrigation systems shall be placed outside of required right-of-way corner clips.
2. Type of Irrigation – Trees and shrubs shall be irrigated by deep-watering bubbler irrigation lines only on a separate line or zone (for targeted irrigation during periods of drought). Other landscaping may be irrigated per the irrigation standards in this Article of the Ordinance.
3. Separate valves shall be provided to turn off all or some irrigation lines/zones during periods of drought, water conservation or freezing weather temperatures. Irrigation zones containing streets, sidewalks, or alleys must be turned off during freezing temperatures.
4. Detectors – Evapotranspiration (ET) controllers are required on all irrigation systems.
5. Water Meter – The developer is responsible for installing irrigation water meter(s). The Administrator shall approve

all water meter sizes and placement. All water meters shall be easily accessible from the street.

- vii. Access Gate Emergency Access: All private perimeter fencing that creates a gated access shall install a Knox security system or other approved access device located at one or more access gate for emergency access by the police or fire department. All private perimeter fencing that creates a gated access shall be registered with the police department.
- viii. HOA Responsibilities: All developments that have thoroughfare screening, entry features or common amenity areas shall be required to have a mandatory homeowners' association (HOA) to own and maintain such features.

c. RESIDENTIAL PRIVACY FENCES

- i. Applicability: This section applies to replacement of residential fences or construction of new fences. A fence permit is required when more than 25 percent of the length of the fence is replaced within an 18-month period.
- ii. Height: Height shall not exceed eight feet as measured from the highest adjacent grade within ten feet of the fence. Maximum height of eight (8) feet includes entry gates. Fence columns may exceed eight (8) feet in height by no more than three (3) inches.
- iii. Fence Posts: Fence posts for all residential fences shall be metal.
- iv. Fence Foundation: Refer to Infrastructure Design Standards for required foundation depths, material, etc.
- v. Approved Materials
 - 1. Masonry (brick, stone, reinforced cement concrete) or any other sustainable material as approved by the Building Official with more than a 30-year life expectancy;
 - 2. Ornamental metal rail fencing;
 - 3. Chemically pre-treated cedar and redwood;
 - 4. Composite or engineered plastic lumber fencing and
 - 5. Other wooden picket fences, only if constructed with metal posts, metal brackets, and metal caps. Chemically pre-treated wooden horizontal members shall be at least 2" X 4".
- vi. Prohibited Materials
 - 1. Chain link (unless replacing or repairing an existing, lawfully installed chain link fence);
 - 2. Sheet, roll, or corrugated metal;
 - 3. Cast off, secondhand, or other items not originally intended to be used for constructing or maintaining a fence; and

4. Razor wire; and
5. Slatted materials used to create opacity.

vii. Location of Fence: Privacy fences may be located along the property line with the following exceptions.

1. In the interest of public safety and considering fences shall not block any sight/visibility triangles on any corner lots.
2. All fences must be set back at least one foot from the right-of-way and/or open space lot line unless a stricter setback is required.
3. Any fence that is more than two feet high shall be set back at least five feet from the side property line of a corner lot. In the case of a reverse corner lot, any fence that is more than two feet high shall be set back at least 7.5 feet from the side property line.
4. Installation of parallel fences along a common property or easement line are prohibited.

viii. Orientation of Fence: When any fence or other screening device, whether required or not, is located on a lot adjacent to a public street, said fence or screening device shall orient the side with exposed posts or rails away from view from the adjacent public street.

ix. Adjacent to Parkland or an Internal Designated Open Space: The following standard shall apply for all privacy fences where the rear and/or side yards share a common property line with a dedicated public or private open space or parkland.

1. Height: Height shall not exceed eight feet as measured from the highest adjacent grade within ten feet of the fence. Fence columns may exceed eight (8) feet in height by no more than three (3) inches.
2. Approved Material
 - a. Ornamental metal rail fencing with columns (brick or stone) or ornamental metal posts shall be used to provide at least 50 percent transparency.
 - b. In the interest of privacy, homeowners may choose to plant vines or shrubs along the fence on their property.

x. Fences in Front Yard Setback: Fences in front yard setbacks are prohibited, unless otherwise approved in district specific standards adopted by City Council.

d. Residential Screening of Utility Equipment

- i. Utility equipment shall be screened from public streets. A combination of trees and shrubs shall be utilized to screen utility

equipment from the adjacent residential street. Trees and shrubs shall be planted at a spacing that provides adequate screening from the street. The screen shall be located no closer to the street than the property line. Any requirements concerning sight or visibility triangles at intersections shall be applicable to the screen where it is intersected by a street or driveway.

2.4. Transportation and Connectivity

3. Landscaping and Open Space Standards

3.1. Applicability

3.2. Landscaping and Buffering Standards

a. Open Space Standards

- i. Purpose: Public open spaces are set aside for the use and enjoyment of a development's residents, employees, or users. Public open space serves numerous purposes, including preservation of natural areas and resources, ensuring greater resident access to open areas and recreation, reducing the heat island effect, enhancing stormwater quality, providing public health benefits, and providing for the general health and welfare of the citizens of Claremore.
- ii. Applicability: All development subject to this article shall set aside the following minimum amounts of land area as public open space that meets the standards of this section.
 1. For single-family attached development with more than five units: at least 200 square feet per unit.
 2. For non-residential and mixed-use buildings with a gross floor area greater than 10,000 and up to 50,000 square feet: 5 percent of total gross site area.
 3. For non-residential and mixed-use buildings with a gross floor area greater than 50,000 square feet: 7 percent of total gross site area.

b. Public Open Space Standards

i. General

1. The following shall be credited toward the public open space requirement:

a. Natural Features

1. Exclude any of the following:
 - a. Flood hazard and conveyance areas
 - b. Water features, including wetlands, and lakes
 - c. Hillsides and exposed slopes of more than 10%

- d. Wildlife habitat areas for threatened and endangered species
- 2. Design and Maintenance Requirements for Natural Features:
 - a. Where natural features exist, the developer or owner shall give priority to its preservation as publicly accessible open space. Placement of a conservation easement over the protected natural feature areas is encouraged.
 - b. In reviewing the proposed location of public open spaces, the Director of Planning and Development Services shall use all applicable plans, maps, and reports to determine whether significant resources exist on a proposed site that should be protected.
 - c. Maintenance shall include, at a minimum, removal and avoidance of hazards, nuisances, or unhealthy conditions.
- b. Active Recreational Areas
 - 1. Includes any of the following:
 - a. Mini-park/Playgrounds
 - b. Sports Complex/Ball Fields/Tennis Courts
 - c. Trails and Pathways
 - 2. Design and Maintenance Requirements
 - a. In no case shall active recreation constitute more than 25% of the total common open space area within a residential or mixed-use district.
 - b. Land shall be contiguous unless the land is used to link to an existing or planned open space resource.

- c. The site shall be adjacent to at least one street. Landscaping shall be planned along all rights-of-way to provide a buffer to surrounding areas.
- c. Plazas and Neighborhood Parks
 - 1. Includes any of the following:
 - a. Neighborhood Park
 - b. Park
 - c. Community Park
 - d. HOA/Private Park
 - e. Squares, forecourts or plazas
 - 2. Design and Maintenance Requirements
 - a. Where provided, such features shall have a minimum size of 400 square feet.
 - b. Such features shall abut at least one direct-access road, public or private.
 - c. Surrounding buildings shall be oriented toward the square, forecourt, or park and a connection shall be made to surrounding development.
 - 2. The following may not be credited toward the open space requirement:
 - a. Property within the rear yard
 - b. Vehicular paving
 - c. Vehicular entry islands
 - d. Required parking lot tree islands
 - e. Building footprint
 - f. Utility yards, or
 - g. Required landscape buffers
- ii. Surface Requirements: Surface shall be one of the following materials, or a combination thereof, unless area is part of an environmental preserve to be maintained in a natural state:
 - 1. Grass or plant materials
 - 2. Quality permeable materials, such as decomposed granite or marble,
 - 3. Quality fall/cushioned surface materials for active play areas,
 - 4. Brick pavers, or

5. Other typical materials used for open space surfaces as approved by the Administrator.

- iii. General Design Standards for Public Open Space: Land set aside for required public open space shall meet the following standards:

1. Location: Where appropriate, open space shall be located to be readily accessible and useable by residents and users of the development. To the maximum practical extent, the open space shall be open to the public view so as to benefit area developments, enhance the visual character of the City, protect public safety, and minimize conflict with adjacent land uses.

2. Configuration

- a. The lands dedicated as open space shall be contiguous to each other unless the land is used as a continuation of or link to an existing or planned adjacent open space resource or where specific natural or topographic features require a different configuration.

- b. Where open areas, trails, parks or other open space resources are planned or exist adjacent to the development, the open space shall, to the maximum extent practical, be located to adjoin, extend, and enlarge the presently existing trail, park, or other open area land.

3. Orientation of Adjacent Lots and Buildings

- a. Lots and buildings adjacent to required open space, not including perimeter landscape buffers, shall have at least one entrance facing the open space.

- b. Provision in Multi-Phase Developments:

1. Development proposed in phases shall be considered as a single development for the purposes of applying the open space requirements.

2. Open space requirements and improvements shall also be phased proportionally with the development phases.

3. Development shall not be phased in such a manner as to place the burden of the majority of the open space provision to

the last 25 percent of the total area contemplated by the development.

iv. Detention or Retention Ponds

1. A detention or retention pond may count toward the open space requirement only if it meets two or more of the following:
 - a. Located between the building and the street,
 - b. Viewable from public space or street,
 - c. Any slope of the pond area does not exceed a 3 (horizontal):1 (vertical) slope
 - d. Accessible to the public (not enclosed with a private fence)
2. Detention or retention ponds must include the following amenities to be considered toward the open space requirement:
 - a. Seating area, public art or fountain, connected to and accessible by a minimum 5' sidewalk, and
 - b. One tree or planter at least sixteen (16) square feet for every two hundred (200) square feet of open space and be located within or adjacent to the open space (in addition to the landscaping requirements).

Article IX – Subdivision Regulations

1. General Provisions

1.1. Title

This article, including all maps and publications made a part hereof and by reference, is adopted pursuant to the authority granted by the Charter of the city and shall be known and cited as the "Subdivision Regulations of the City of Claremore, Oklahoma," and codified as this article.

1.2. Purpose

To provide development in accordance with the City of Claremore Comprehensive Plan, Major Street Plan, and other adopted policy documents while promoting health, public safety, and the general welfare of the community.

1.3. Authority

These regulations and minimum standards for land development are adopted by resolution of the planning commission and ratified by ordinance of the city in accordance with the provisions in 11 O.S. §§ 45-101—45-106.

1.4. Applicability

- a. These regulations and development standards shall apply to the following forms of land subdivision, whether presently within the jurisdictional limits of the city or platted as an addition thereto for future, contemplated annexation:
 - i. The division of land into two or more tracts, lots, sites, or parcels;
 - ii. The division of land, previously subdivided or platted, into tracts, lots, sites or parcels;
 - iii. The dedication, vacation or reservation of any public or private easement through any tract of land regardless of the area involved, including those for use by public and private utility companies; or
 - iv. The dedication or vacation of any street or alley through any tract of land regardless of the area involved.
- b. These regulations and development standards shall not apply to the following forms of land subdivision, whether presently within the jurisdictional limits of the city or platted as an addition thereto for future, contemplated annexation:
 - i. Land that has been legally subdivided prior to the effective date of these regulations, except as provided herein. However, the re-division or combination of previously platted land into lots, tracts or parcels shall be subject to these regulations.

- ii. The sale of land by metes and bounds in tracts of more than five (5) acres in size.
- iii. Land subdivision that is non-conforming must follow the process in [Article IV Nonconformities](#).

2. Platting Requirements

2.1. General Subdivision Review

- a. The application for review must be submitted in accordance with the City's published Planning Commission meeting schedule for the Planning Commission meeting at which the application is to be scheduled for public hearing.
- b. Upon acceptance of the application, the Planning Staff shall transmit the proposal to those departments and agencies participating in the subdivision review process.
- c. Each participant shall consider all pertinent information and shall provide the Planning Staff with a summary of their findings, comments, and recommendations.
- d. The Planning Staff shall advise the applicant of all findings, comments, and recommendations prior to the Planning Commission meeting.
- e. A staff report summarizing the findings, comments and recommendations shall be entered into the project file and shall then be forwarded to the Planning Commission and the applicant prior to the meeting.

2.2. Classification of Subdivisions

- a. Subdivisions shall be classified by the Planning Director as a major subdivision, minor subdivision or administrative plat.
- b. Before any land is subdivided, the owner of the property proposed to be subdivided, or his authorized agent, shall apply for and secure approval of the proposed subdivision in accordance with the following procedures.

1. Major Subdivision

- a. Application
- b. Staff Review
- c. Preliminary Plat (Technical Advisory Committee Approval)
- d. Preliminary Plat (Planning Commission Approval)
- e. Construction Plans
- f. Final Plat (Planning Commission Approval)

2. Minor Subdivision

- a. Application
- b. Staff Review

- c. Preliminary Plat (Technical Advisory Committee Approval)
- d. Construction Plans
- e. Final Plat (Planning Commission Approval)

3. Deed – Lot Split

- a. Application
- b. Staff Approval
- c. Deed (Planning Commission Ratified)

2.3. Specifications for Documents to be Submitted

a. Lot Split Deed

- i. A lot-split application shall be filed with the Planning Commission Staff and the appropriate fee paid in accordance with the following requirements:
 - 1. Where the application is to be reviewed by the Planning Commission, 15 copies of a survey meeting the requirements of Oklahoma State Statutes and prepared by a land surveyor registered in the State of Oklahoma shall accompany the split. Where possible, the survey drawing should be placed in the space provided on the application form.
 - 2. Where review will include other agencies or companies in addition to the Planning Commission Staff, eight (8) copies of a scaled drawing shall accompany the application.
 - 3. The survey drawing itself shall include a legal description, all existing and proposed lot lines, all existing buildings and improvements and their distances from lot lines, adjacent streets and street right-of-way and paving widths, existing access limitations, and a north arrow and scale.
 - 4. In all cases where drawings are attached on separate sheets, the subdivider should limit the size of the drawing to 8-1 /2 inches by 14 inches.
 - 5. Where the applicant is requesting a waiver, said request shall be stated on the application form, including the reasons for such requests.
 - 6. Where review by the Planning Commission Staff reveals that a split meets all approved guidelines herein set forth, and all proposed lots are adequately served by utilities either by easement or in public streets, the Planning Director or the Director's designated

agent shall approve the lot-split and the Planning Commission shall ratify the approval at the next Planning Commission meeting.

7. For those lot-splits that involve acquiring easements or in the Staff's opinion, require review by additional companies or agencies but do not involve a waiver of the Unified Development Code Regulations, the following procedure shall be followed:
 - a. The Planning Commission Staff will send a copy of the application and drawing to all utility providers.
 - b. After each company or agency has notified the Planning Commission Staff of all requirements, the Staff shall in turn notify the subdivider.
 - c. If the lot-split is on a tract that is utilizing or will utilize a private sewage disposal system, the tract and system shall meet all of the requirements of the DEQ.
 - d. When approvals from all companies or agencies involved are received, the lot-split shall be approved by the Planning Director or the Director's designated agent and the Planning Commission shall ratify the approval at the next Planning Commission meeting.
8. For those lot-splits that involve a waiver of a provision of these Regulations, the procedure shall be as follows:
 - a. A cut-off date shall be observed which coincides with that of the submission of subdivision plats.
 - b. A copy of the lot-split shall be sent to the all utility providers as stated in Subsection 4 above. The Planning Staff shall indicate on the application the date of the TAC meeting at which the application shall be reviewed and that it is a request for waiver of conditions.
 - c. The Planning Commission Staff shall present the application and waiver request at the regular TAC meeting where the lot-split may be reviewed by the total membership of that Committee, including all utility providers, the DEQ, the City Water, Sewer, and Electric, as well as the City Engineer.
9. The recommendation of the TAC shall be compiled with the Planning Staff's recommendation and the application shall be heard at the next Planning Commission meeting in the consent agenda.

10. Application will only be heard after the variance or special exception has been granted by the Board of Adjustment.

b. Preliminary Plats

1. Application Procedure and Requirements. The subdivider shall submit a preliminary plat for approval. A minimum of 15 copies of said plat shall be submitted for approval and shall: Be accompanied by an application and filing fee established by the Planning Commission; Comply in all respects with the sketch plat as approved; and Be filed with the Planning Staff at least ten (10) working days prior to the meeting of the TAC at which it will be considered. Comply in all respects with the requirements of these Subdivision
2. Regulations; however, a preliminary plat not meeting all of these requirements may be submitted, provided, that the subdivider presents with the plat application a letter requesting specific waivers or modifications describing in detail the reasons therefor.

2. Review.

- a. A. The Planning Staff shall:
 1. Distribute copies of the preliminary plat to appropriate officials, agencies, or departments.
 2. Field check the area being platted as needed;
 3. Review the preliminary plat for conformance with the Comprehensive Plan, Zoning Ordinance, Planned Unit Development (PUD) conditions, Board of Adjustment actions, and Subdivision Regulations, City master plans for water, sewerage and drainage; and
 4. Prepare written analyses and recommendations.
 - a. Preliminary Plat, Conceptual Improvement Plan, Construction Plan, and Final Plat. Construction Plans may be submitted in lieu of the Conceptual Improvement Plan if they are readily available at the time the Preliminary Plat is submitted.
 - b. Conceptual Improvement Plans. The subdivider shall submit two (2) copies of Conceptual Improvement Plans for

proposed improvements at the time of application for approval of the preliminary plat to Planning Staff for review by the following departments and/or agencies as applicable:

- i. The Engineering Department shall approve such plans for improvements regarding drainage, storm sewers, streets, sidewalks, and pedestrian ways in accordance with the adopted Engineering Design Criteria and Standards and Specifications for Construction (Engineering Standards). The Engineering Department and/or the appropriate water or sewer authority shall approve conceptual sanitary sewer and water improvement plans in accordance with the adopted Engineering Standards. If the subdivision is to be served by private water or sewer disposal systems, the plans for such improvements shall be prepared in accordance with the adopted standards of the DEQ as referenced in Appendix A, as well as be reviewed and approved by the DEQ and City prior to installation.

c. Construction Plans

1. A subdivider shall submit final construction plans for proposed improvements prior to or simultaneous with the application for final plat approval. Final construction plans shall be submitted to the Planning Department for review by the following:
 - a. The Engineering Department shall review and approve the final construction plans for improvements regarding streets, drainage and storm sewers, sidewalks and

pedestrian ways in accordance with the adopted Engineering Standards.

- b. The Engineering Department and/or the appropriate water and sewer authority shall review and approve sanitary sewer and water improvement plans in accordance with the adopted Engineering Standards.
- c. The DEQ shall review and approve all final plans for public and private water and sewage disposal systems.
- d. Exception. The Planning Commission may, with concurrence of the appropriate City Department, delay the requirement for approval of final construction plans relating to proposed improvements as a condition of final approval and release of a subdivision plat, provided that the restrictive covenants shall include a specific provision designating the City as beneficiary requiring that final improvement plans be approved by the appropriate regulatory authority prior to the issuance of a building permit.
- e. As-built surveys for public utilities and streets shall be submitted in an electronic file format for the plan view as required by the Engineering Department.
- f. Preliminary Plat, Conceptual Improvement Plan, Construction Plan, and Final Plat. Construction Plans may be submitted in lieu of the Conceptual Improvement Plan if they are readily available at the time the Preliminary Plat is submitted.

d. Final Plats

- i. Application Procedure and Requirements. Following the approval of the preliminary plat, the subdivider shall file with the Planning Department an application for final approval of a subdivision plat, which shall:
 1. Be made as prescribed in these Regulations; Comply in all respects with the approved preliminary plat;
 2. Be accompanied by a minimum of ten (10) copies of the final plat as required in these Regulations;
 3. Be accompanied by the final plat filing fee as established by the Planning Commission;
 4. Be accompanied by an electronic DXF file in accordance with the requirements of the Rogers County Assessor's office;

5. And include a reproducible copy of the plat drawing showing the street addresses of each lot.

- ii. Endorsement of Approval on Plat

1. No final approval shall be endorsed on the final plat until all requirements of plat approval have been met.
2. The parties responsible for endorsing approval on the plat shall be the City Engineer or any other party authorized, in writing, to sign for said City Engineer and the Chairperson or such other officer of the Planning Commission as authorized in writing to sign for said Chairperson.
3. When the subdivider has chosen to install improvements prior to the endorsement of the final plat, approval shall not be endorsed on the plat until after all conditions of the approval have been satisfied and all improvements satisfactorily completed and accepted by the City.
4. Written evidence shall be submitted, including submission of Record Drawings as described in these Regulations, that the required improvements have been installed, and necessary dedications made, in a manner satisfactory to the City as shown by a certificate signed by the City Engineer and the City Attorney.
5. When the subdivider has chosen to guarantee construction of improvements by written agreement, approval shall not be endorsed on the plat until after the agreement has been executed and delivered to the Planning Commission and City, the agreement executed by the City, and all conditions of the approval pertaining to the final plat have been satisfied.

- iii. Information required on the final plat shall include:

1. Name of the subdivision prefaced by "Final Plat";
2. The name and address of the owner or owners of the land to be subdivided, the name and -address of the subdivider if other than the owner, and the name and address of the land surveyor;
3. Date of preparation of the plat, north arrow and scale (written and graphic presentation);
4. Key or location map showing the location of subdivisions within the mile section;
5. An accurate legal description of the property;
6. Total acres and total number of lots in the subdivision;

7. Names of all adjacent subdivisions and the names, locations, and widths of all existing and proposed streets, easements, drainage ways, and other public ways, adjacent to the property;
8. Boundary of the subdivided area, block boundary, street, and other right-of-way lines with distances, angles, and/or bearings. Where these lines follow a curve, the central angle, the radius, points of curvature, length of curve, and length of intermediate tangents shall be shown;
9. The accurate dimensions of all property to be offered for dedication for public use, and all property reserved for the common use of the property owners within the subdivision with purpose indicated;
10. The dimensions of all lots and lot lines, and the bearings of those lot lines not parallel or perpendicular to the street right-of-way line;
11. All easements shall be denoted by fine dashed lines, clearly identified, and if already on record, the recorded reference of such easements; the width of the easement with sufficient ties to locate it definitely with respect to the subdivision must also be shown;
12. Easements that serve the area being platted located outside of the boundaries of the plat and recorded reference shall be required for plat approval;
13. Drainage Easements shall be kept clear of all obstructions, such as but not limited to, fences, buildings, trees and shrubs, or other structures or improvements which in any way endanger or interfere with the construction, maintenance, or operation of any drainage system.
14. The deeds of dedication and any deed restrictions applicable to the subdivision shall be shown;
15. The location of every oil or gas well, either existing active or inactive wells, plugged or unplugged abandoned wells, as shown by the records of the Oklahoma Corporation Commission and by such other records as may be on file with the Planning Department and the location of any planned future well sites.
16. All proposed lots consecutively numbered, their dimensions, and building setback lines, and street addresses shall be designated on a copy of a plat for each residential single-family lot with the following notation:

Caveat/Disclaimer

Addresses shown on this plat are accurate at the time the plat was filed. Addresses are subject to change and should never be relied on in place of the legal description.

Any other information as may be deemed by the Planning Staff and Planning Commission as reasonably necessary for the full and proper consideration of the proposed subdivision.

4. The following certifications shall be required prior to final plat approval by the Planning Commission:

A. Certification by the owner's registered land surveyor who prepared the plat as to the accuracy of the survey and of the plat, and that the monuments and benchmarks are accurate as to location shown, which shall state that he or she has fully complied with the requirements of these Regulations and the subdivision laws of the State of Oklahoma governing surveying, dividing and mapping of land, that the plat is a correct representation of all of the exterior boundaries of the land surveyed and the subdivision of it, and that the plat represents a survey made by such surveyor;

B. Certification by the registered professional engineer licensed to practice in the State of Oklahoma that the design of the required improvements is, or will be in conformance with the standards, requirements, and provisions of the applicable agency or department and these Regulations;

C. Certification by the City Engineer that the subdivision plat conforms to City standards and specifications of these and other applicable regulations as may be required; Certification by the Engineering Department or other appropriate authority that the subdivision conforms to all applicable regulations concerning public water supply and sanitary sewer facilities.

D. Certification by the owner of the land that states that he or she has caused the land described in the plat to be surveyed, divided, mapped, dedicated and access rights reserved as represented on the plat. Dedication of streets, easements, and other public areas shall also be made as a part of this certificate and the certificate shall be executed as a real estate conveyance is executed.

E. The owner shall further acknowledge on the face of the final plat that the several improvements as set forth by notation on the final plat that all streets shall be graded, base material applied and surfaces paved in accordance with the Engineering Design Criteria of the City to include, where applicable, curbs and gutters, street name signs in place, visual screens, utilities and street lights installed, and all drainage and detention facilities constructed in accordance with the approved plans on file with the Engineering Department, all at the owner's expense and in compliance with the requirements of the City.

17. County Clerk Recording

a. The final plat shall be filed in the office of the County Clerk within one (1) year after approval by the Planning Commission and City Council.

e. Permits for construction Activity or Public Improvements

i. No building permit or certificate of occupancy shall be issued for any parcel or plat of land created by subdivision after the effective date of, and not in conformity with, the provisions of these regulations, and no excavation of land or construction of any public or private improvements shall take place or be commenced, except in conformity with these regulations.

f. Incorporation of Infrastructure Design Standards

i. The city's adopted infrastructure design criteria and construction standards for public improvements are hereby incorporated and collectively referenced as the Infrastructure Design Standards. The Infrastructure Design Standards shall be maintained in the Public Works office and are available upon request.

2.4. Public Facilities and Dedication Requirements

a. Provision of Adequate Public Facilities

i. Each subdivision shall provide adequate public facilities. Adequate public facilities shall include adequate water, sanitary sewer, drainage, and transportation facilities necessary to serve the proposed development, whether or not the facilities are to be located within the property being platted or offsite.

b. Criteria for Adequate Public Facilities

i. Public facilities are considered adequate if they meet the minimum level of service established in the appropriate sections of this Ordinance and the following standards:

1. Street Access: All platted lots shall have safe and reliable street access for daily use and emergency purposes. All platted lots shall have direct access to a paved public street, private street, or an approved access easement.
2. Water: All platted lots shall be connected to a public water system that provides water for health and emergency purposes. The water system shall be consistent with the City of Claremore water system plan and all adopted city codes and ordinances and Infrastructure Design Standards.
3. Wastewater/Sanitary Sewer: All platted lots shall be connected to a public sanitary sewer collection and treatment system where

available. On-site sanitary sewer treatment systems shall only be permitted if no public sanitary sewer is available within 1,000 feet of the property and shall meet the city's adopted standards for on-site sanitary sewer. The sanitary sewer system shall be consistent with any adopted Wastewater System Model and Master Plan and Infrastructure Design Standards of the City of Claremore, as amended.

4. Drainage and Stormwater Management: Drainage and stormwater facilities are adequate when:
 - a. Stormwater runoff attributable to new development or redevelopment complies with the minimum standards of this Ordinance and the city's Infrastructure Design Standards and Engineering Design Criteria
 - b. To the maximum extent practicable, permanent Best Management Practices (bmpps), as described in the Engineering Design Criteria as adopted by the city, shall maintain the predevelopment characteristics of any natural creek that ultimately receives stormwater runoff from the development.
5. Electricity: All platted lots shall have access to a public utility that provides electricity for retail consumption.
6. Telecommunications: All platted lots shall have access to a public utility that provides telecommunications for retail consumption.

2.5. Design Standards

- a. General
 - i. Conformance to Applicable Rules and Regulations. In addition to the requirements established herein, all subdivision plats shall comply with the following:
 1. The comprehensive planning process is required by Oklahoma statutes. These statutes provide that all land use regulations shall be made in accordance with a comprehensive plan. Pursuant to statute the Planning Commission has adopted the Claremore 2040, ("Comprehensive Plan") which serves as a guide for land use decisions. All preliminary plats and final plats submitted to the Commission shall conform to the applicable provisions of the Comprehensive Plan.

2. Zoning Code; Buildings and Building Regulations; Engineering Design Criteria; and all other applicable laws of the City and County.
3. The intent and policies of the Comprehensive Plan and the Capital Improvements Program of the City, including all public facilities as shown by the Comprehensive Plan, as adopted.
4. Any laws, rules and regulations of the State Department of Environmental Quality and/or appropriate State agencies.
5. The rules of the State Department of Transportation if the subdivision, or any lot contained therein, abuts a State highway or connecting street.
6. The standards and regulations adopted by the Planning Director and by all boards, commissions, agencies and officials of the City dealing with subdivision of land.
7. Plat approval may be withheld if a subdivision is not in conformity with the above guidelines, and with the policies and purposes as established in Article I.

b. Street and Right-of-Way Requirements

- i. Basic Policy: The following general requirements apply to all plats.
 1. Streets and right-of-way shall conform to any adopted Master Thoroughfare Plan, as amended, the city's Infrastructure Design Standards and the standards in this Ordinance.
 2. An adequate off-site street and thoroughfare system shall be designed and constructed in order to:
 - a. Provide for streets of suitable location, width, or other improvements to accommodate existing traffic, traffic anticipated from the development, and traffic anticipated from other developments impacting the same roadways.
 - b. Afford satisfactory access to adjoining properties.
 - c. Accommodate police, firefighting, sanitation, and street maintenance equipment.
 3. The proposed streets of the development shall effectively relate to the present and future street system and to the development of the surrounding area in order to assure continuity of

thoroughfares, coordination of intersections, the limitation of median breaks, and the promotion of livable neighborhoods.

4. The plat shall provide for appropriate continuation or termination of any existing streets, whether constructed or dedicated, which extend to the limits of the proposed subdivision.
5. Adequate provision of access to adjoining lands shall be made.
6. The developer shall design and construct adequate roadway facilities, whether on- site or off-site.
7. The developer shall be responsible for all costs associated with meeting the requirements of this article.

ii. Requirement for Access to the Street Network

1. Acquisition of Access Required: The developer shall acquire right-of-way and/or necessary easements and construct any offsite roadways and/or access ways necessary to connect the development with an adequate offsite, existing city roadway network.

iii. Traffic Study Requirements

1. A Traffic Study shall be required for Major Subdivisions outside of the Downtown or other Special Districts.
2. Traffic Study Submittal: The traffic study shall be prepared in accordance with the criteria established in the city's Infrastructure Design Standards.
3. Acceptance of Traffic Study: Prior to forwarding any plat to the Planning Commission, the traffic study shall be accepted by the city. The acceptance of the traffic study will be based on the completeness of the traffic study, the thoroughness of the impact evaluation, and the consistency of the study with the proposed access and development plan.

iv. Residential Access Limited

1. Arterial Streets: No single-family, townhouse, or duplex residential development shall have direct access to an arterial street unless no other means of access is available. In cases where access is permitted to an arterial street, a private access easement adjacent to the thoroughfare is required. Any lot that has direct access to an arterial street is required to provide head-out egress.

2. Collectors: Single-family, duplex, and townhouse residential lots may have direct driveway access to collectors if the following development standards are complied with:
 3. An additional setback of 10 feet shall be required along the Collector Street frontage. The setback shall be measured from the ultimate ROW of the Collector Street as identified in the adopted Master Thoroughfare Plan.
 4. Driveway separation will follow the Engineering Design Criteria Manual specification
 5. Private Access Easements: To the maximum extent practicable, private access easements shall be required between and/or across any non-residential lots fronting on arterial and collector streets in order to minimize the total number of access points along those streets and to facilitate traffic flow between lots. The location and dimensions of the easement shall be in accordance with the city's Infrastructure Design Standards. A note shall be provided on the plat indicating the lots served by the private access easement. The minimum width of a private access easement shall be 20 feet. The easement shall be increased to 24 feet when it functions as a required fire lane. For 24-foot and 22-foot local standards, private access easements are required to provide rear access to residential lots. For this use, the private access easement width may be reduced by the Administrator if not needed for fire access.
 6. Maintenance of Private Access Easement: Maintenance of any private access easement is the responsibility of the property owner or property owner's association, as applicable. When an easement is created by plat, a maintenance note as approved by the Administrator shall be added to the plat acknowledging maintenance responsibility. When the easement is created by separate instrument, the maintenance responsibility shall be acknowledged with the separate instrument.
 7. Adequate Access: Each single-family residential subdivision shall have at least two constructed points of public ingress and egress, except:
 8. When 30 or fewer residential units are constructed with one point of street ingress and egress.
 9. The Administrator may approve up to 40 units with one point of access when requested. In evaluating a request, the Administrator shall consider factors including the timing of construction of other

public improvements that provide a second point of access, public safety, and convenience, especially if undeveloped property is adjoining the subdivision and future stub streets are provided.

10. The City Commission may grant a waiver to these regulations for more than 40 units with one point of access only when unique topographic or infill circumstances exist.
11. **Stub Streets Required:** Street stubs for future connections shall be required to any adjoining undeveloped property at a minimum spacing of 1,000 feet. A street stub for a future connection may provide the justification for the waiver of the Adequate Access (see (e) above) requirement.

v. Street Layout Requirements

1. Intersections

- a. No street intersecting an arterial or collector street shall vary from a 90 degree angle of intersection by more than 10 degrees.
- b. The number of collector or local street offsets shall be minimized. However, when approved by the Administrator because no other reasonable alternative exists, a minimum centerline offset distance of 125 feet shall be maintained.
- c. There shall be a minimum of 600 feet between intersections of arterials or collector type streets.
- d. Arterial streets shall be intersected only by collector streets or other arterial streets, unless the only means of ingress and egress to a subdivision is from the arterial street. In this event, the local street intersection may be required to be configured to accommodate stacking and turning traffic with a flared intersection per the city's Infrastructure Design Standards. All costs associated with the construction of this flare configuration shall be borne by the developer.
- e. No more than two (2) streets shall intersect at any one point.
- f. Visibility triangles, as required by [Article VII](#), shall be provided at the intersection of all public streets. In addition, visibility easements may be required where sight distance may be limited due to topography, roadway

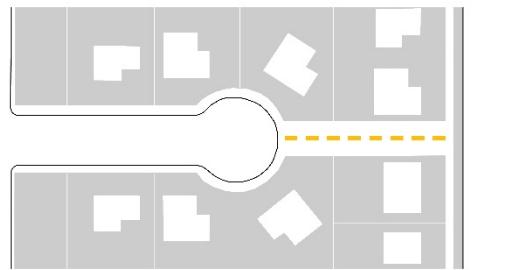
curvature, vegetation, or other sight hindrance. The easement shall be dedicated by plat.

vi. Curvilinear Street Design Requirements

1. Roadway layout may include curvilinear design. If curvilinear street design is utilized, then local and collector streets shall be designed with a maximum of 50 percent of the lots within the subdivision to have curved frontage.
2. The roadways shall also conform to the following:
 3. Fit the road to natural topography
 4. Avoid monotony of lot appearance
 5. Reduce speeds through neighborhoods
 6. Discourage through traffic intrusions by eliminating straight views from one block to the next
 7. Local and collector streets that connect one major collector or arterial to another major collector or arterial directly are discouraged.

vii. Cul-de-Sacs

1. Dead end streets are permitted only where a future extension or connection is anticipated or planned into adjacent property. If the dead end is greater than 150 feet measured from the property line, a turnaround facility will be required. The developer shall be responsible for acquiring the right-of-way or easement and constructing the turnaround. The turnaround will be considered temporary until the street is extended or a permanent cul-de-sac is constructed. The temporary turnaround may be constructed without curb and gutter but shall meet all other design criteria. The turnaround shall be constructed off-site, unless the developer is unable to obtain off-site right-of-way. The Administrator may approve the construction of the turnaround within the limits of the development based on phasing and timing of future connectivity.
2. A cul-de-sac shall have a 50-foot right-of-way radius at the closed end. The radius of the paved area of the turnaround shall be a minimum of 39 feet.
3. To the maximum extent practicable, cul-de-sacs shall provide direct pedestrian/bicyclist access to the closest street or pedestrian/bicyclist connection.



4. Maximum length of a dead-end street permitted shall be 600 feet.
5. Provisions shall be made for drainage at the ends of dead-end streets.
6. When an existing dead-end street with temporary turnaround, whether on- or off-site, is extended, the developer extending the street shall be responsible for removing the turnaround facilities, constructing the extension or cul-de-sac to the standards in these regulations, and restoring the affected area.
7. If the developer chooses not to extend an existing dead end-street, then that developer shall provide right-of-way and construct a permanent turnaround or cul-de-sac.

c. Rights-of-Way

- i. Rights-of-way for major arterials, arterials, and collectors are required and shall be established in Table xx unless it meets the standards as established in the city's Transportation Study - Major Streets Plan (p.68).

TABLE 9.2-1: Required Right of Way Widths

Roadway Classification	Right-of-Way Width
Major Arterial	120 feet minimum*
Minor Arterial	80-100 feet minimum**
Major Collector	80 feet minimum
Minor Collector	60 feet minimum
Residential Street	50 feet minimum***

*130' minimum right-of-way required for a right turn lane for a primary arterial street at the major intersection to extend a distance of 388' paralleling said right side of street

**108' minimum right-of-way required for a right turn lane for a secondary arterial street at the major intersection to extend a distance of 388' paralleling said right side of street

***Rural Residential streets may be permitted in development at a density of equal to or less dense than the RS-25 and RS-25 CL Zoning Districts only and shall be subject to the requirements of Subsection 4.2.1.1 of these Regulations, and the Engineering Department, the adopted Engineering Design Criteria the Standard Specifications for Construction

ii. Mid-block and Intersection Requirements

1. Mid-block and intersection rights-of-way and geometric design for streets are required as shown in the Master Thoroughfare Plan and the city's Infrastructure Design Standards. Based on site conditions and the proposed development, additional ROW may be required to be dedicated to facilitate access ramp and/or signal construction as follows:
 2. A 10-foot by 10-foot clip for local/local street intersections.
 3. An 80-foot radius for arterial/arterial intersections and arterial/departure side of major collector street intersections. See City's Infrastructure Design Standards for layout.
 4. A 15-foot by 15-foot clip for all other intersections.

iii. Local Streets

1. For local streets, the right-of-way can vary depending on the standards utilized as shown in Table 9.2-2 below:

TABLE 9.2-2: Right of Way Widths and Local Streets

Pavement Width	Right-of-Way Width	On-Street Parking (Parallel)
30 feet (curb & gutter)	50 feet	Allowed on both sides
26 feet (curb & gutter)	50 feet	Allowed on one side
28 feet (rural design)	60 feet plus 10 feet drainage easement on each side	None allowed

2. Rural Design: A rural design for a local street includes 24 feet of pavement with no curb and gutter. This standard shall only be used in residential developments with lots one acre or greater in size. On street parking shall not be permitted.
3. Flare at Intersection: Right-of-way for all local streets shall flare to 60 feet at intersections with any arterial street.

iv. Alleys

1. Residential alleys shall be a minimum of 20-foot wide ROW with a minimum 12-foot wide pavement.
2. Commercial alleys shall be minimum 24-foot wide ROW with a minimum 24-foot wide pavement.

v. Sidewalks

1. Sidewalks Required: The developer shall install sidewalks on all public streets within and abutting the development and standards shall meet the Engineering Criteria Manual. Sidewalks are not required for the local rural streets where the lots are one acre or larger in area. A waiver of sidewalks may be granted by the Planning Commission if it is determined that construction is not

feasible at time of development for engineering reasons or inappropriate due to the nature of the project.

2. Standards: Sidewalks shall be built in accordance with the City's Engineering Criteria Manual, any adopted Trail Plan, and Oklahoma Accessibility Standards.
3. The developer may, at his own option, choose to provide additional private access easements for sidewalks, walkways, or bicycle facilities. Construction and maintenance of these private access easements will be the responsibility of the developer and/or subsequent owners.

vi. Development Requirements

1. State Roadways: The developer may be required to construct curbs, gutters, and sidewalks to ODOT's standards on developments abutting roadways designated as state highways, or on right-of-way or land owned by the State.
2. Coordination with Planned Street Projects: Where a development will abut an existing street for which construction plans have been prepared for future improvements, the plans for the development shall be coordinated with the street construction plans. If the developer requests an alteration to the construction plans, and the City agrees to the alteration, the developer shall pay to revise the plans as necessary and escrow any increased construction costs. The escrow will not be refundable.
3. Street Appurtenances with Construction: All public street construction shall include streetlights, street signs, signals, and pavement markings as required by the City's Infrastructure Design Standards. The developer will be responsible for all costs associated with the design and construction or installation of these street appurtenances. Streetlights shall also be required on all perimeter public streets along the frontage of the development. Conduit for fiber optic cables may be required at signalized intersections and along roadways identified in the city's network fiber plan. All street appurtenances shall be designed and constructed in accordance with the City's Infrastructure Design Standards.

vii. Payment Requirements

1. Payment May be Collected for Site Required Facilities: Upon the developer's request to defer construction of any required public improvements, at the city's sole option, a payment in lieu of

construction may be collected for required improvements. The Administrator/City Engineer may agree to defer construction of required improvements and accept payment when construction of the required improvements is not feasible at the time of development. The payment amount shall be estimated based on the total estimated cost of design, utility relocation, and construction of the improvements unless otherwise specified in this section. Payment shall be made to an escrow account to be utilized solely for the construction of the required public improvements.

viii. Easements Required

1. The developer shall provide the right-of-way/easements even if construction is determined not to be feasible and payment is accepted at the time of subdivision.

ix. Development Agreements

1. Standard development agreements executed by the developer and the city are required for all public improvements. The agreements shall include two-year maintenance bonds, performance bond, payment bond, insurance, and other requirements and fees as detailed in the City's Infrastructure Design Standards.

x. Ownership and Maintenance

1. All public facilities constructed within dedicated public rights-of-way or public easements shall be and shall remain the property of the city and, after expiration of the maintenance bonds, shall be maintained by the city.

xi. Private Streets

1. Design and Construction Requirements: Private street widths, cross-sections, and design criteria shall comply with city standards and shall meet the minimum construction standards for public streets, including its appurtenances such as streetlights, street signs, and pavement markings. If the development will be gated, it shall comply with the gated entry guidelines in the City's Infrastructure Design Standards and any requirements of the City of Claremore Fire Marshall.
2. Streets shown on the Master Thoroughfare Plan shall not be used, maintained, or constructed as private streets. In addition, the city may deny the creation of any other private street if, in the city's

judgment, the private street would have any of the following effects:

3. Negatively affect traffic circulation on public streets
4. Impair access to property either on-site or off-site to the subdivision
5. Impair access to or from public facilities including schools, parks, and libraries
6. Delay the response time of emergency vehicles
7. Private streets shall be constructed within a separate lot owned by the property owners' association. This lot shall conform to the city's standards for public streets and rights-of-way. An easement covering the street lot shall be granted to the city providing unrestricted use and maintenance of the property for public utilities. This right shall extend to all utility providers operating within the city. The easement shall also provide the city with the right of access for any purpose related to the exercise of a governmental service or function, including but not limited to, fire and police protection, inspection, and ordinance enforcement. The easement shall permit the city to remove any vehicle or obstacle within the street lot that impairs emergency access.
8. Cost of Private Streets: The city shall not pay for any portion of the cost of constructing or maintaining a private street and its appurtenances.
9. Inspections: Inspections of private streets shall be performed by the city at the developer's cost or by a third party in accordance with requirements outlined in the City's Infrastructure Design Standards.
10. Maintenance: Developments with private streets shall have a mandatory property owners' association that includes all property served by private streets to ensure maintenance of the private street.
11. Waiver of Services: The subdivision's recorded plat, property deeds, and property owner association documents shall note that certain City services may not be provided on private streets. Among the services that may not be provided are: street maintenance, routine police patrols, enforcement of traffic and parking ordinances, and preparation of accident reports.

Depending on the characteristics of the proposed development, other services may not be provided.

12. Street Names: The developer shall name streets in conformance with the city's Infrastructure Design Standards. The city shall have final approval of all street names.
13. Alternative Local Street Standards: Alternative street designs may be allowed in accordance with development specific ordinances in PUDs and Special Districts approved by the City Commission. There shall be no waivers from construction specifications.

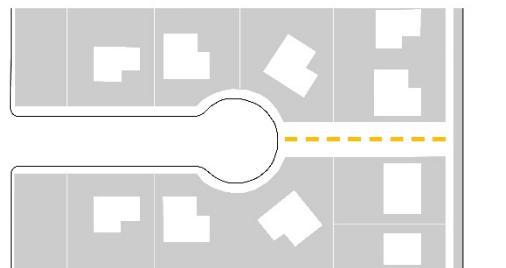
d. Lots and Blocks

i. Lots

1. Buildings on a Lot: Except as otherwise permitted by this Ordinance, every building shall be located on a lot.
2. Frontage: All lots shall front on a public or private street or private access easement and shall have a minimum lot width as indicated in [Article IV](#).
3. Lot Size: Platted or replatted lots must comply with the minimum lot size regulations of the zoning district in which the lot is located.
4. Setbacks: Lot setbacks shall be determined by the applicable zoning district and not by platted building lines.

ii. Blocks

1. Lots within Blocks: Lots shall be arranged in a contiguous pattern within blocks or abutting a cul-de-sac.

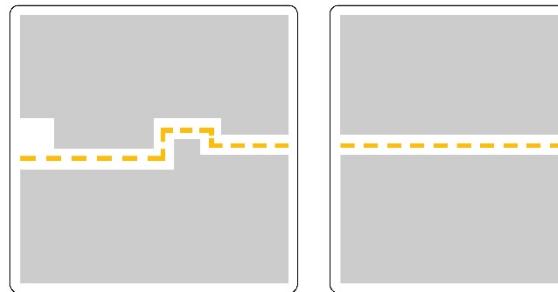


- iii. Residential Block Length: The following standards shall be followed in the design of residential blocks.
- iv. Block lengths and cul-de-sacs shall be appropriate to the density and type of development as follows:

v. The maximum length of any block in a residential zone district shall be 600 feet, except as follows:

vi. In instances where it is:

1. Impractical to design residential blocks at or less than 600 feet in length, mid-block pedestrian/bicyclist access shall be provided in the form of a mid-block connection or walkway.
2. The mid-block access shall be a minimum of 20 feet in width and run the entire depth of the block and connect two streets or serve as a connection to a park, open space lot, school, trail, or recreation or amenity area for public use or for use by residents of the subdivision. The access may be provided as an open space lot or easement.



vii. If utilizing rural standards, the maximum block length shall be 1000 to 1200 feet with a maximum of 12 lots.

viii. Alternative Block Lengths

- ix. The Administrator may approve alternative block lengths under the following conditions:
 - x. Proximity to a railway, expressway, waterway
 - xi. Topographic features
 - xii. An infill development with no alternate access
 - xiii. When considering a request for alternative block lengths, the Administrator shall consider the following:
 - xiv. Alternative designs which would reduce block length
 - xv. The effect of long blocks on access, congestion, and delivery of municipal services

xvi. Means of mitigation, including but not limited to mid-block turnarounds, limitation on the number of lots to be created and served, temporary points of access, and additional fire protection measures

e. Easements

i. Width of Easements

1. Utility: The minimum width for utility easements shall be in accordance with the standards outlined in the city's Infrastructure Design Standards and shall be adequate for the installation and maintenance of utilities that are likely to be located in the easement.
2. Drainage: The minimum width for City drainage easements shall be as required by the city's Infrastructure Design Standards.
3. Storm Drainage or Floodway: Where a Subdivision is traversed by a watercourse, drainage way or channel, a storm drainage easement or right-of-way shall be provided that conforms substantially with such course and of such additional width as may be designated by the Administrator and/or City Engineer, subject to determination according to proper engineering considerations. The required width shall conform to the requirements set forth by the Federal Emergency Management Agency (FEMA), the U.S. Army Corps of Engineers, and/or the city. Parallel Streets or parkways are encouraged adjacent to creek or drainage ways to provide maintenance access and/or public access and visibility into public open space or recreation areas. In this regard it is required that at least 50% of the edge along creeks/drainage ways be designated for public access – either trail or street frontage. Utilities may be permitted within a drainage or floodway easement only if approved by the Administrator and/or City Engineer and any other applicable entity requiring the drainage or floodway easement.
4. Other: The width of easements for other utility providers, such as for gas, electric, telephone or cable television, shall be as required by that particular entity. It shall be the Applicant/Developer's responsibility to determine appropriate easement widths required by other utility companies.

ii. Location of Easements: Easements shall be located to accommodate the optimal design (as determined by the City Engineer) of the various utility and drainage systems that will serve the subdivision, and shall be provided in locations to accommodate any public purpose deemed necessary to protect the public health safety and welfare. In residential subdivisions, a

minimum 10-foot wide utility easement shall be provided along the front of all lots and a minimum 15-foot wide utility easement shall be provided along the rear of all lots, parallel to and flush with the street/property ROW line for the potential placement of utility facilities.

- iii. Computation of Lot & Buildable Area: The area of a lot shall be computed inclusive of all easements. However, there shall be a minimum buildable area, exclusive of required easements, buffer zones and setbacks for each lot. The minimum buildable area shall be an area half (1/2) of the required minimum lot size. When an entire lot is not buildable, the Developer shall submit verification in writing that the buildable area is adequate for the type of housing product (or nonresidential building) proposed for that lot. Final approval of the allowed buildable area for any lot shall be by the Administrator.
- iv. On-Site Easements Shown on Plat: For new development, all necessary on-site easements shall be established on the Plat and not by separate instrument, and they shall be labeled for a purpose, such as for franchised public utilities. Other examples include, but are not limited to, the following: a drainage easement, which is dedicated to the city for a drainage structure; an access easement, which is dedicated to the public for unrestricted access purposes; a fire lane easement, which is dedicated to the city and its fire suppression and emergency medical service providers for access purposes; and an electrical, gas, or telephone easement which is dedicated to the specific utility provider that requires the easement.
- v. Visibility Triangles: Visibility triangles meeting the standards in [Article VII – Use Standards](#) shall be designated as visibility easements on the plat.
- vi. The maximum height of fences, walls, signs, and other similar fixed items shall be 30 inches within the visibility easement.
- vii. Landscaping: All landscaping (and any other fixed feature) within the triangular visibility easement shall be designed to provide unobstructed cross-visibility at a level between 30 inches and eight feet. A limited number of single-trunked trees may be permitted in this area provided they are trimmed in such a manner that no limbs or foliage extend into the cross-visibility area. Landscaping, except grass and low ground cover, shall not be located closer than three feet from the edge of any street pavement.

f. Water and Wastewater Utilities

- i. Connections for Water: All new Subdivisions shall be connected with the city's water system or other public water supply system approved by DEQ. The water system shall be capable of providing water for health and

emergency purposes, including fire protection. The design and construction of water system shall comply with the following standards:

- ii. Applicable regulations of the Oklahoma Department of Environmental Quality (DEQ).
- iii. Standards in the city's Infrastructure Design Standards.
- iv. Fire protection and suppression standards in accordance with the city's policies and ordinances including Fire Code adopted by the city. Additional development will not be allowed without water pressure meeting these standards.
- v. Connections for Wastewater:
- vi. All new subdivisions shall be served by a wastewater collection and treatment system authorized and permitted by the DEQ, except as provided below. The design and construction of the wastewater system improvements shall be in accordance with the standards in the City's Infrastructure Design Standards, and in accordance with DEQ standards.
- vii. On-site sewage facilities such as septic or aerobic systems may be permitted where each lot is one acre or more in area, if the subdivision is 1,000 feet or more from a connection to a wastewater collection system. They shall meet the city's adopted standards for on-site sewage facilities.
- viii. Subdivider Responsibilities: The Subdivider shall be responsible for the following:
 - 1. Phasing of development or improvements in order to maintain adequate water and wastewater services
 - 2. Extensions of utility lines (including any necessary on-site and off-site lines) to connect to existing utility mains of adequate capacity
 - 3. Providing and/or procuring all necessary easements for the utilities (whether on-site or off-site)
 - 4. Providing proof to the city of adequate water and wastewater service
 - 5. Providing for future expansion of the utilities if such will be needed to serve future developments, subject to the city's policies, if applicable
 - 6. Providing all operations and maintenance of the private utilities, or providing proof that a separate entity will be responsible for the operations and maintenance of the utilities

7. Providing all fiscal security required for the construction of the utilities
8. Obtaining approvals from the applicable utility providers if other than the city
9. Complying with all requirements of the utility providers, including the city

- ix. Location of Lines: Extension of water and wastewater lines shall be made along the entire frontage of the subdivision adjacent to a street or thoroughfare in rights-of-way or dedicated Easements.
- x. If the subdivision is not adjacent to a thoroughfare, the extension of utilities shall be to the edge of the Subdivision's perimeter property line adjoining any undeveloped property or accomplished in such a manner as to allow future connections to said utilities by new subdivisions.
- xi. If new subdivisions are not likely to be developed beyond the proposed subdivision (due to physical constraints), the Administrator may waive the requirement for adjacent utility line construction at the time of Preliminary Plat approval and prior to construction of the subdivision.
- xii. The city shall determine the location and routing of water and sewer extensions and shall retain the authority to reject any extension not deemed to be in the best interest of the city.
- xiii. Utilities Not Specified: Installation, operations and maintenance of utilities not specifically referenced herein shall comply with regulations of the ODEQ and with any other applicable State rules and regulations, whichever is the most stringent.
- xiv. Dead-End Water Lines
- xv. Dead end water lines should be avoided, but when deemed necessary, they should be extended to, and then through, the property sought to be subdivided.
- xvi. All dead end water lines shall be valved and provided with a valve and fire hydrant located at the extreme end of the line instead of the blow off mechanism for their flushing, in accordance with current city Infrastructure Design Standard specifications.
- xvii. Payment of Pro-Rata Charges: Where the proposed subdivision would abut and utilize an existing water main and/or sanitary sewer main of the city, the Developer may be required to pay to the city any applicable "pro rata" charge per requirements of the city or previous pro rata agreement.

g. Drainage and Environmental Standards

- i. Drainage System Generally
- ii. Drainage improvements shall accommodate runoff from the upstream drainage area and shall be designed to prevent overloading the capacity of the downstream drainage system or adversely impacting either upstream or downstream properties.
- iii. The city may require the phasing of development, the use of control methods such as retention or detention, or the construction of off-site drainage improvements in order to mitigate the impact of the proposed development.
- iv. No storm water collection system shall be constructed unless it is designed by a licensed professional engineer and in accordance with this section and with the city's Infrastructure Design Standards, and unless it is reviewed and approved by the Administrator/City Engineer.
- v. All plans submitted to the Administrator/City Engineer for approval shall include a layout of the drainage system together with supporting calculations for the design of the system.
- vi. Drainage Easements shall be kept clear of all obstructions, such as but not limited to, fences, buildings, trees and shrubs, or other structures or improvements which in any way endanger or interfere with the construction, maintenance, or operation of any drainage system.
- vii. Off Site Drainage:
- viii. The applicant/developer/property owner of the subject property to be developed shall be solely responsible for all storm drainage flowing on or from the subject property. This responsibility includes the drainage directed to that property by prior development as well as drainage naturally flowing through the property by reason of topography.
- ix. Adequate consideration shall be given by the applicant/developer/property owner in the development of property to determine how the discharge leaving the proposed development will affect downstream property. As part of any application for development that will affect downstream property, the applicant/developer/property owner shall furnish the city with a letter signed by a Oklahoma Professional Engineer stating that the development as designed will not damage downstream property due to the development's impact on off-site drainage.
- x. Storm water runoff that has been collected or concentrated on lots or tracts of five acres or more shall not be permitted to drain onto adjacent property except into existing creeks, channels or storm sewers, unless

proper drainage easements or notarized letters of permission from any affected downstream property owner(s) are provided.

- xi. Cross-lot Drainage Prohibited: Drainage between residential lots is the responsibility of the affected applicant/developer/property owner. Applicants/developers/property owners are required to drain surface runoff from an individual lot to a public ROW or to an underground drainage system contained in a public easement and will not be allowed to surface drain onto another lot. The Administrator shall have the discretion to allow modifications to the lot-to-lot drainage requirements where adherence to these requirements would be in conflict with other city ordinances and/or regulations.
- xii. Erosion & Sedimentation Control: All erosion and sedimentation controls shall conform to the city's Infrastructure Design Standards and the current National Pollution Discharge Elimination System (NPDES) regulations.
- xiii. Changing Existing Ditch, Channel, Stream or Drainage Way: No person or entity shall deepen, widen, fill, reclaim, reroute or change the course or location of any existing ditch, channel, stream or drainage way without first obtaining written permission of the Floodplain Administrator/City Engineer and any other applicable agency (such as FEMA or the U.S. Army Corps of Engineers) having jurisdiction. The Floodplain Administrator/City Engineer may require preparation and submission of a CLOMAR, LOMR, other appropriate map revision or flood study for a proposed development if there are concerns regarding storm drainage on the subject property or upstream or downstream from the subject property. The costs of such study, if required, shall be borne by the developer.
- xiv. Siting of Lots & Building Sites: In order to help reduce storm water runoff, and resulting erosion, sedimentation and conveyance of nonpoint source pollutants, the layout of the street network, lots and building sites shall, to the greatest extent possible, be sited and aligned along natural contour lines, and shall minimize the amount of cut and fill on slopes in order to minimize the amount of land area that is disturbed during construction.
- xv. Approval: Lots in any proposed subdivision shall not be approved until drainage facilities adequate to prevent flooding have been installed or necessary arrangements made for such installation as required under this [Article IX](#).
- xvi. Issuance of Building Permits: On any lot/subdivision designated by the Administrator/City Engineer as requiring completion or partial completion of drainage improvements prior to building construction, no building permits shall be issued prior to a release authorized by the Administrator.

2.6. Improvements Required

- a. Generally
 - i. The requirements as set forth below are designed and intended to ensure that, for all subdivisions subject to this Article, all improvements as required herein are installed properly and:
 - ii. The city can provide for the orderly and economical extension of public facilities and services
 - iii. All purchasers of property within the subdivision shall have a usable, buildable parcel of land
 - iv. All required public improvements are constructed in accordance with city's Infrastructure Design Standards
 - v. Prior to the granting of final plat approval, the subdivider and Planning Commission shall agree upon a deadline for the completion of all required improvements. The period within which required improvements must be completed shall be specified by the Planning Commission in the action approving the final subdivision plat and shall not exceed two (2) years from date of final approval, unless extended by the Planning Commission for good cause.
- b. Adequate Public Facilities Policy
 - i. The land to be divided or developed must be served adequately by essential public facilities and services. No plat shall be recorded unless and until adequate public facilities exist or provision has been made for water facilities, wastewater facilities, drainage facilities, electricity and street facilities which are necessary to serve the development proposed, whether or not such facilities are to be located within the property being platted or off-site. Wherever the subject property adjoins undeveloped land, or wherever required by the city to serve the public good, utilities, and streets shall be extended to adjacent property lines to allow connection of these utilities and streets to adjacent property owners.
- c. Public Improvements Required
 - i. Public improvements that are required by the City of Claremore for the acceptance of any subdivision by the City shall include the following:
 - a. Water and wastewater facilities
 - b. Storm water drainage, collection and conveyance facilities
 - c. Water quality, erosion and sedimentation controls
 - d. Streets

- e. Street lights
- f. Street signs
- g. Alleys (if provided)
- h. Sidewalks, including ADA approved ramps at street intersections and other appropriate locations
- i. Perimeter landscaping, screening and/or retaining walls (where required)
- j. Common area improvements
- k. Traffic control devices required as part of the project
- l. Appurtenances to the above, all designed and constructed in accordance with ADA standards, if applicable, and any other public facilities required as part of the proposed subdivision

d. Compliance Required

- i. All aspects of the design and construction of public improvements shall comply with the city's current Infrastructure Design Standards and any other applicable City codes and ordinances, including preparation and submittal of engineering plans and construction inspection.

e. Utility Lines

- i. All utility lines that pass under a street or alley shall be installed before the street or alley is paved. When it is necessary that utility lines pass under the street or alley pavement, they shall be installed to a point at least three feet beyond the edge of the pavement.

f. Monuments

- i. Monuments set must be in sufficient number and durability so as not to be readily disturbed, to assure together with monuments already existing, the perpetuation or re-establishment of any point or line of the survey. Monuments shall be constructed of material capable of being detected with conventional instruments for finding ferrous or magnetic objects and:
- ii. Must be placed at each point in the boundary of the subdivision, which shall be a minimum of 15 inches in length with a minimum diameter of three eighths (3/8) inch iron pipe or bar;
- iii. Monuments must be placed at each corner of each lot in the subdivision and shall be a minimum of 15 inches in length with a minimum diameter of three-eighths (3/8) inch iron pipe or bar;

- iv. Monument must be placed along the centerline of each street within the subdivision at all street intersections, points of curve, points of tangent, points of compound curve, points of reverse curve, center of cul-de-sacs and center of eyebrows which shall be a minimum of 15 inches in length with a minimum diameter of three eighths (3/8) inch iron pipe or bar, chiseled marks in the concrete, or pk nails in asphalt;
- v. In such cases where the placement of a required monument at its proper location is impractical, a witness corner or reference monument must be placed, preferably on a line of survey, with the data given to show its location upon the ground in relation to the subdivision boundary or lot corner;
- vi. Brass caps for vertical control must be set in concrete, stamped with the elevation (NAVD 88) and the registration number of the Registered Professional Land Surveyor in responsible charge preceded by the letters "RPLS". Vertical control monuments must be placed at an interval of one brass cap per 20 acres or part thereof and spaced proportionately throughout the subdivision or minimum land surveying standards, as determined by the State of Oklahoma; and
- vii. Any monument set by a Registered Professional Land Surveyor to mark or reference a point on a boundary, lot line, or lot corner must be permanently and visibly marked or tagged with a durable marker in accordance with State regulations.

g. Subdivisions Containing 5 Acres or More

- i. A subdivision containing five acres or more shall have at least two monuments set by the RPLS, if not already existing, for two corners of the subdivision, and such monuments shall be located at opposite ends (or at widely separated corners) of the subdivision and clearly shown on the Final Plat prior to filing at the county. The Final Plat shall also show clear ties to existing monuments in the vicinity of the subdivision.
- ii. 5% of the overall tract size will be dedicated towards the preservation of open space. This requirement will be enforced city-wide and in the Special Districts for developments not using the pattern zones.

h. Street and Alley Improvements

- i. Facilities Constructed by the Developer: All facilities, such as internal streets and alleys, existing or proposed streets located immediately adjacent to the property, that are required to be constructed or improved in order to adequately serve the development, shall be constructed by the developer at the developer's expense, unless otherwise allowed by this [Article IX](#).

- ii. Construction and Design: All streets and alleys shall be designed and constructed to meet the city's Infrastructure Design Standards and shall conform in width and section to any approved development specific ordinance, this [Article IX](#) or adopted Master Thoroughfare Plan.
- iii. Paving Standards: The developer shall construct all streets and alleys according to the standards contained within the city's Infrastructure Design Standards.
- iv. ADA Compliance: In addition to the above-mentioned minimum standards, barrier-free ramps for physically challenged persons shall be constructed at all street intersections, driveway approaches, appropriate mid-block crosswalks, and in locations where accessible parking spaces are provided. All barrier-free ramps and other accessibility considerations shall comply with the Highway Safety Act, as amended, and with the Americans with Disabilities Act (ADA), as amended.
- v. Signs and Barricades: All signs and barricades shall be in conformity with the city's Infrastructure Design Standards, with ADA standards, and with specifications for uniform traffic control devices, as adopted by the city, Rogers County, Oklahoma Department of Transportation, or the Oklahoma Department of Public Safety, as applicable.

- i. Water and Wastewater Requirements
 - i. Installation: The design, construction and installation of all water and wastewater lines shall be in conformance with this [Article IX](#) and any adopted master plans and city Infrastructure Design Standards and shall be approved by the City Engineer.
 - ii. Provision for Water & Wastewater Required: No Final Plat shall be approved nor subdivision accepted within the city or its extraterritorial jurisdiction until the applicant/developer/property owner has made adequate provision for a water system, fire protection, and a sanitary sewer system per the requirements of this [Article IX](#).
 - iii. Safe Water Supply & Fire Protection: Water system mains of sufficient size and having a sufficient number of outlets to furnish adequate and safe domestic water supply and to furnish fire protection to all lots shall be provided.
 - iv. Water and Wastewater Mains to Property Line: Water and wastewater mains shall extend to the farthest property line in order to allow future connections into adjacent undeveloped property unless otherwise authorized by this [Article IX](#).

- v. Utilities to Property Line of Each Lot: Services for utilities shall be made available to the property line of each lot in such a manner as will minimize the necessity for disturbing the street pavement and drainage structures when connections are made.
- vi. Fire Protection: Fire hydrants and protection apparatus shall be provided in accordance with the city's Infrastructure Design Standards, and with any other city policy or ordinance pertaining to fire protection or suppression.
- vii. The City Engineer/Fire Marshall/Fire Chief shall have the authority to approve the locations and placement of all fire hydrants, fire lanes, and easements in accordance with the adopted Fire Code. Fire hydrant spacing or fire lane placement may be modified based upon special design or distance circumstances with approval of the City Engineer/Fire Marshall/Fire Chief.
- viii. Vertical construction (i.e., any building construction above foundation/slab level) shall not commence until all required fire lanes are properly installed and accepted by the city, nor until all fire hydrants have been installed, inspected, tested and accepted by the city.

j. Storm Drainage & Water Quality Controls

- i. Adequate Storm Sewer System Required: An adequate storm sewer system consisting of inlets, pipes and other underground structures with approved outlets shall be constructed where runoff of storm water and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities.
- ii. Areas Subject to Flood Conditions or Storm Water Retention: Areas subject to flood conditions or inadvertent storm water retention, such as standing or pooling water, as determined by the Administrator, will not be considered for development until adequate drainage has been provided.
- iii. Design: The criteria for use in designing storm sewers, culverts, bridges, drainage channels, and other drainage facilities shall conform to the requirements of this [Article IX](#) and any adopted city Infrastructure Design Standards.
- iv. Maintenance Bond:
- v. The developer shall ensure that all drainage improvements within public easements or rights-of-way are functioning properly prior to the expiration of the maintenance/performance bond.
- vi. Responsibility: The developer shall be responsible for removing any significant build-up of sediment or debris from drainage improvements,

through maintenance/performance bond time period for the applicable facilities.

- vii. City Inspection: The city shall inspect the improvements to determine any maintenance or correction of deficiencies at the conclusion of this period.

k. Private Utilities

- i. Utility companies shall submit plans when constructing new overhead lines, underground lines, and upgrading existing lines within the rights-of-way. The city shall review and permit such plans per the requirements in this Ordinance, any applicable state laws, and the city's Infrastructure Design Standards. Non-emergency utility work shall be coordinated with the city's Capital Improvements Plan to reduce disruption due to construction to the community. Utility companies are not required to obtain a permit in the event of an emergency in order to restore service.
- ii. All subdivision plats shall provide for utility services such as electrical, gas, telephone, and cable TV utility (lateral and/or service distribution) lines and wires including, but not limited to, street lighting, to be placed underground.
- iii. The Developer shall be responsible for obtaining verification from the utility companies for easement locations and widths prior to the final approval of construction plans by the city. Any changes during construction shall be approved by the utility companies and the city. All utilities shall be placed within a corridor designated in the utility plans (ROW or easement). Non-conforming utilities installed outside their designated corridor shall not be allowed. Acceptance of public utilities will not be made where other utilities encroach on the city utility corridors.
- iv. Where existing overhead service or lateral/distribution utilities lines are located within the land proposed for development and the lines must be relocated to accommodate the development, the Developer is responsible for relocation and placement of the lines underground.
- v. All new service lines to individual lots in a subdivision shall be placed underground.
- vi. In special or unique circumstances or to avoid severe hardships that are not financial, the city may authorize waivers to this requirement and permit the construction and maintenance of overhead electric utility lateral or service lines and of overhead telephone or cable TV lines and may approve any plat with such approved exceptions. Such waivers may only be approved by City Council prior to Final Plat approval and upon the execution of the 30-day waiver by the applicant.

- vii. Where electrical service is to be placed underground, all other utilities, including circuits for street and site lighting, except street lighting standards, shall also be placed underground.
- viii. Each of the utility companies shall be responsible for developing administrative policies and cost reimbursement procedures for the installation and extension of their underground utilities. Each utility company shall have the right to charge or recover costs associated with installing underground utilities in accordance with the respective utility's Tariff for Service and/or Line Extension Policy. No utility company shall be required to begin construction of underground facilities unless and until the owner or Developer of the subdivision has made arrangements with the respective utility company for payment in accordance with that respective utility's Tariff for Service and/or Line Extension Policy governing utility installations and their cost.
- ix. Temporary construction service may be provided by overhead electric lines and facilities without obtaining a waiver, provided that when the underground utility service to any portion of a subdivision is completed, such overhead electric lines and facilities are promptly removed.
- x. All installations regulated by this section shall also conform to the standards for utility construction as per the city's Infrastructure Design Standards.

2.7. City Acceptance of Improvements

- a. Withholding City Services and Improvements until Acceptance
 - i. General Policy
 - ii. The city will withhold all city services and lot permits of any type until all required improvements are properly constructed according to the approved engineering plans and to City's Infrastructure Design Standards, and until such public improvements are dedicated to and accepted by the city.
 - iii. The city will withhold all permits until all development-related fees, including applicable park fees have been paid.
- b. Guarantee of Public Improvements
 - i. In lieu of completion of required public improvements, except for sidewalks and prior to issuance of any building permit, the City Council shall require that the subdivider file an improvement guarantee with the City Clerk {approved as to form by the City Attorney} to assure the actual construction of improvements according to the plans and specifications approved by the Engineering Department. All improvements shall be completed within a

period of time not to exceed two (2) years from the date of approval of the final plat by the Planning Commission and City Council. The City Council shall have the power to extend that deadline one (1) additional year where the subdivider can present valid reason for such extension.

- ii. All improvement guarantees shall be one of the alternative forms listed below and shall be in the amount of 125% of the estimated cost to construct the improvements as determined by the Engineering Department, or 100% of the actual bid cost to construct such improvements, and with all other guarantees and conditions satisfactory, to the City. No building construction shall be permitted, nor municipal utility service furnished on any lot which does not comply with these requirements.
- iii. Alternative forms of improvement Guarantees shall be as follows:
 1. Surety Performance Bond. The subdivider shall obtain a surety bond from a surety bonding company authorized to do business in the State of Oklahoma. The bond shall be payable to the City and shall be in one of the amounts as specified above as estimated by a registered professional engineer licensed to practice in the State of Oklahoma and approved by the Engineering Department for completing all required improvements; or
 2. Escrow Account. The subdivider shall deposit cash, or other instrument readily convertible into cash at face value, either with the City or in escrow with a bank. The use of any instrument other than cash, and in the case of an escrow account, the bank with which the funds are to be deposited shall be subject to the approval of the City Council. The amount of the deposit shall be in one of the amounts as specified above as estimated by a registered professional engineer licensed to practice in the State of Oklahoma and approved by the Engineering Department for completing all required improvements. The subdivider shall file with the City Clerk an agreement, approved as to form by the City Attorney, between the financial bank and said subdivider guaranteeing the following:
 - a. That the funds of said escrow account shall be held in trust until released by the City and may not be used or pledged by the subdivider as security in any other matter during that period; and
 - b. That in the case of a failure on the part of the subdivider to complete said improvements, the bank shall immediately

make the funds in said account available to the City for use in the completion of those improvements: or

3. Letter of Credit. The subdivider shall provide from a bank or other reputable institution or individual (subject to the approval of the City Council) a letter of credit. This letter of credit shall be deposited with the City Clerk, approved as to form by the City Attorney, and shall certify the following:
 - a. That the creditor does guarantee funds in one of the amounts specified above as estimated by a registered professional engineer licensed to practice in the State of Oklahoma and approved by the Engineering Department for completing all required improvements;
 - b. That in the case of failure on the part of the subdivider to complete the specified improvements within the required time period, the creditor shall pay to the City immediately and without further action, the full amount of such funds as are necessary to finance the completion of those improvements, up to the limit of credit stated in the letter; and
 - c. That this letter of credit may not be withdrawn or reduced in amount until released by the City.
4. In the event that the subdivider is , the principal on any delinquent corporate surety bond, the obligations of which have not been fulfilled, said subdivider shall be required to provide as surety, cash or a certificate of deposit for any improvement not installed and/or constructed by the subdivider prior to the filing of any other final plat.
5. It shall be the responsibility of the subdivider posting any form of improvement to guarantee to inform the City through the Engineering Department when such other obligations under said guarantee have been fulfilled and to request release from the terms and conditions of the posted improvement guarantee. The subdivider's obligation shall not be considered fulfilled until the City Council has specifically released the subdivider from such obligation.
6. Any construction surety, regardless of form, shall be accompanied by a certified engineer's estimate, prepared by a registered professional engineer licensed to practice in the State of Oklahoma, certifying that the improvement guarantee amount is

sufficient to cover 125% of the current cost of constructing the guaranteed improvement.

7. If any portion of the required improvements shall fail to be accepted for dedication within the allocated time period, either for reasons of incompletion or for reason of substandard construction, the City all take the following action:
 - a. Where improvements have been guaranteed under the provision of these Regulations, the City Council shall declare whatever security has been pledged as a guarantee to be in forfeit.
 - b. Where the City Council is not already in possession of said guarantee, it shall immediately take the actions necessary to obtain it. Upon receipt of these securities, the City shall use them, or receipts from their sale if that be necessary, to finance the completion of required improvements or the rebuilding of such improvements to the proper specifications.
 - c. Where improvement guarantees given under the provisions of these Regulations are about to expire and the improvements guaranteed under such securities have been determined by the Engineering Department to have been constructed in a substandard manner or have otherwise failed, the City shall require that the subdivider extend the period of the surety to allow such deficiencies to be remedied as per the terms of the original surety. The amount of the surety in such cases shall be based only on the deficiencies and be 125% of the estimated cost to remedy such deficiencies as determined by the Engineering Department, or 100% of the actual bid cost to remedy such deficiencies.
 - d. Unused portions of these securities shall be returned to the subdivider, bonding company, or crediting institution, as is appropriate.

c. Temporary Improvements

- i. Responsibility: The developer/applicant shall build and pay for all costs of any temporary improvements required by the city and shall maintain such improvements for the period specified by the city.
- ii. Temporary Easement: Any temporary improvement (e.g., a temporary cul-de-sac, alley turnout, drainage swale, erosion control device, etc.) Shall be

placed within a temporary easement established specifically for that purpose. The recording information of the instrument establishing the temporary easement shall not be shown on the Final Plat unless it is a permanent easement for the subdivision. A temporary easement may be abandoned with the Administrator's written consent.

d. Failure to Complete Improvements

- i. In those cases where a Development Agreement has been executed and financial guarantee has been posted, and the required public improvements have not been installed within the terms of the agreement, the city may:
- ii. Declare the agreement to be in default and require that all the public improvements be installed regardless of the extent of completion of the development at the time the agreement is declared to be in default.
- iii. Suspend any previously authorized building construction activity within the Subdivision until the public improvements are completed and record a document to that effect for the purpose of public notice.
- iv. Obtain funds under the financial guarantee and complete the public improvements itself or through a third party.
- v. Assign its right to receive funds under the financial guarantee to any third party, including a subsequent owner of the subdivision for which public improvements were not constructed, in whole or in part, in exchange for that subsequent owner's promise to complete the public improvements on the property.
- vi. Exercise any other rights or remedies available under the law.

e. Maintenance Guarantee

- i. A developer shall furnish a good and sufficient maintenance bond issued by a reputable and solvent corporate surety approved by the Oklahoma Insurance Commission, in favor of the city, to indemnify the city against and guarantee the costs of any repairs which may become necessary to any part of the construction work performed in connection with the subdivision, arising from defective workmanship or materials used therein, for a full period of two years from the date of final acceptance of the entire project or a phase of the project, if the city elects to accept a particular phase before the entire project is completed.
- ii. A separate maintenance bond must be furnished for work done under each contract for each part of such construction work unless otherwise authorized by the city.

- iii. Final acceptance will be withheld until said maintenance bond is furnished to and approved by the City Attorney. The maintenance bond shall have attached thereto a copy of the construction contract for such improvements and such other information necessary to determine the validity and enforceability of such bond. When the bond has been examined and approved, the City Attorney shall so specify in writing to the Administrator. No permits shall be issued by the City on any piece of property other than an original or a re-subdivided lot in a duly approved and recorded subdivision or on a lot of separate ownership of record prior to the approval of any required maintenance bond.
- iv. The Administrator may waive the requirement for a maintenance bond for projects with a construction cost of \$5,000 or less.

f. Construction Procedures

- i. Site Development Permit: A Site Development approval shall be required from the city prior to beginning any site development-related work in the city or its extraterritorial jurisdiction which affects erosion control, grading, storm drainage, clear-cutting of trees, or a flood plain.
- ii. Conditions Prior to Authorization: Prior to issuing a Site Development approval, the Administrator shall be satisfied that the following conditions have been met:
 - iii. The Preliminary Plat has been approved by the Planning Commission (and any conditions of such approval have been satisfied)
 - iv. All required engineering plans and documents are completed and approved by the city
 - v. All contractors participating in the construction shall be presented with a set of approved plans bearing the stamp of approval of the city, and at least one set of these plans shall remain on the job
 - vi. A complete list of the contractors, their representatives on the site, and telephone numbers where a responsible party may be reached at all times must be submitted to the city
 - vii. All applicable fees must be paid to the city
- viii. Nonpoint Source Pollution Controls and Tree Protection: All nonpoint source pollution controls, erosion controls, and tree protection measures and devices shall be in place, to the City Engineer's satisfaction, prior to commencement of construction on any property.

g. Inspection and Acceptance of Public Improvements

- i. The developer shall provide inspection service per the city's standards to ensure that construction is being accomplished in accordance with the plans and specifications approved by the city.
- ii. The developer shall notify the city at least 48 hours prior to commencement of construction. This notice shall give the location and date of the start of construction.
- iii. The city shall have the right to inspect any construction work being performed to ensure that it is proceeding in accordance with the intent of the provisions of this [Article IX – Subdivision Regulations](#).
- iv. If the City finds, upon inspection, that any of the required public improvements have not been constructed in accordance with the approved construction plans, the city's standards and/or Infrastructure Design Standards, then the developer shall be responsible for completing and correcting the deficiencies (at the developer's expense) such that they are brought into conformance with the applicable standards.
- v. Letter of Satisfactory Completion:
- vi. The city will only deem required public improvements satisfactorily completed when the developer's engineer or RPLS has certified to the city (through submission of detailed sealed "as-built", or record, drawings of the property [digital and hard copy]) drawings that indicate all public improvements and their locations, dimensions, materials and other information required by the city, and when all required public improvements have been completed.
- vii. When the requirements of subsection (a) above have been met to the Administrator's and City Engineer's satisfaction, and when a maintenance bond has been received and approved if required, the Administrator shall issue a Letter of Satisfactory Completion.
- viii. Effect of Acceptance: Acceptance of the development shall mean that the developer has transferred all rights to all the public improvements to the city for use and maintenance, subject to the two year Maintenance Bond.

h. Issuance of Building Permits and Certificates of Occupancy

- i. Building Permit:
- ii. A building permit shall only be issued for a lot, building site, building or use after the lot or building site has been officially recorded by a Final Plat approved and filed per [Article III – Review Procedures](#), and after all public improvements have been completed per this [Article IX - Subdivision Regulations](#).

- iii. Notwithstanding the (a) above, a permit may be issued as outlined below, provided that an agreement providing sufficient financial guarantee is approved for the completion of all remaining Public Improvements.
- iv. Possible Release of Lots. The Administrator may release some residential building permits for not more than 10 percent of the lots within a new residential subdivision, provided that all public improvements have been completed for that portion of the development including those required for fire and emergency protection. No lot may be sold nor title conveyed until the Final Plat has been recorded with Rogers County.
- v. A Certificate of Occupancy shall only be issued for a building or the use of property after a Final Plat has been approved and filed per [Article III - Review Procedures](#), and after all subdivision improvements have been completed and accepted.
- vi. Notwithstanding (a) above, a Certificate of Occupancy may be issued provided that an agreement providing sufficient financial guarantee is approved for the completion of all remaining Public Improvements, and provided that the structure is safely habitable in accordance with the city's adopted building codes. No Lot may be sold, nor title conveyed until the Final Plat has been recorded with Rogers County.

Article X – Sign Regulations

1. Purpose of Ordinance

- 1.1. Signs constitute a separate and distinct use of the land upon which they are placed and affect the use of adjacent streets, sidewalks and other public places and adjacent private places open to the public. The unregulated construction, placement and display of signs constitute a public nuisance detrimental to the health, safety, convenience and welfare of the residents of the city.
- 1.2. The purpose of this ordinance is to establish reasonable and impartial regulations for all exterior signs and those interior signs designed to attract the attention of persons located outdoors in order to: reduce traffic hazards caused by such unregulated signs which may distract and confuse, and impair the visibility of, motorists and pedestrians; ensure the effectiveness of public traffic signs and signals; protect property values by ensuring the compatibility of property with that surrounding it; provide an attractive visual environment throughout the city; protect the character and appearance of the various neighborhoods in the city; attract tourists to the city; protect the public investment in streets, highways, and other public improvements; and protect and improve the public health, safety, and general welfare.
- 1.3. The regulations contained in this ordinance advance these significant government interests and are the minimum amounts of regulation necessary to achieve them.

2. APPLICABILITY

- 2.1. All signs not specifically exempted herein shall comply with the provisions of this Chapter and all other applicable provisions of other regulations of the City.

3. SIGN PERMIT REQUIRED

- 3.1. Unless otherwise provided in this Chapter, it shall be unlawful to construct, modify or relocate any sign without first obtaining a sign permit.
- 3.2. No sign shall be constructed unless it complies with all applicable ordinances and codes, including, but not limited to the Electrical and Building Codes.
- 3.3. A sign permitted as a business sign shall not be changed to an outdoor advertising sign.
- 3.4. Permits are not required for:
 - a. Removal of a sign
 - b. Maintenance of a sign, including changing the face or content of the sign provided the size, shape, orientation, or height are not changed; and any change does not increase the signs nonconformance with these regulations

- c. Temporary Signs per Section 1107
- d. Exempted Signs per Section 1108, except that bench signs shall require a permit.

3.5. Sign Permits shall expire within 180 days. Any permit issued prior to the adoption of this ordinance shall expire within the earlier of 180 days from adoption or per Section 1802.3.

4. PROHIBITED SIGNS

- 4.1. The following signs are hereby prohibited within the City of Claremore:
 - a. Off-premise signs; except:
 - i. Copy changeable digital display signs may include off-premise advertising if:
 - 1. 25% of the total sign face shall be a permanent display sign (i.e. non-digital display) and advertise the on-premise business; or,
 - 2. 50% of the content (by time) in the changeable messages shall be used for on-premise advertising.
 - ii. As allowed by other provisions contained in these regulations
 - b. Signs erected in violation of the City's building, electrical or sign codes, or other applicable local regulations.
 - c. Signs erected in violation of federal or state law.
 - d. Portable signs, except those portable signs allowed herein.
 - e. Roof signs.
 - f. Signs placed on any utility pole except for utility identification purposes, nor shall any sign be painted on any tree or rock.
 - g. Any sign that is attached to a utility pole, curb, sidewalk, lamppost, hydrant, bridge, highway marker, highway regulatory sign or mailbox on public property except official notices.
 - h. Animated signs, flashing signs, signs with scrolling images, signs that revolve or rotate, have moving parts, have the illusion of motion, or in any way change the appearance of the sign or advertisement. Nothing contained herein shall be construed to prohibit time and temperature or other public interest electronic message signs which otherwise conform to the provisions of the Sign Code. Other digital displays may be permitted only if the images remain constant for a period

of time not less than 8 seconds and the transitions appear instantaneous; and signs with scrolling text shall be allowed provided the length of the message does not exceed 8 seconds.

- i. Signs illuminated to such intensity or brilliance as to cause glare or impair vision. Lighting shall be shielded upward to prevent beams or rays from being directed at any portion of a traveled roadway or an occupied residential area. This requirement shall not apply to internally lit signs with a lighting intensity of less than 100 foot lamberts. No illuminated sign shall be erected within 50 feet of other property in an R District or PUD Designated Residential Development Area if visible from such District or Area.
- j. Signs erected in, projecting into, or otherwise located or placed in the public right-of-way, except those placed by agencies of government or those that may be allowed in the CBD District.
- k. Signs on vehicles used or intended to be used as an on-premise sign. It shall be *prima facie* evidence that a sign is used as an on-premise sign if a vehicle is parked on site for a continuous period exceeding seventy-two (72) hours.
- l. "V" type signs with a face that protrudes from the opposite face at an interior angle greater than twenty-five (25) degrees. This restriction shall not be construed to prohibit oval, cylindrical or box type signs.
- m. Signs with sign structures larger than is reasonably necessary to support the sign.
- n. Outdoor Advertising Signs, including billboards.
- o. Banner Signs, except as allowed per Section 1107 Temporary Signs
- p. Any sign which may interfere with the view of or be confused with any traffic control sign, signal or devise, or any sign which may interfere with, mislead or confuse traffic, or reduce visibility at any street intersection, change in alignment or driveway entrance or exit.
- q. Any sign obstructing the view within the Sight Distance Triangle. (See Section 212 and Figure 2-1).
- r. Any real estate sign advertising property for uses other than for which the property is zoned or incorrectly states the zoning of the property.

5. Nonconforming Signs

- 5.1. For regulations pertaining to an existing sign that would be prohibited by this ordinance, see Section 1703, Nonconforming Signs.

6. General Use Conditions for Business Signs

6.1. On Premises Signs; Business Signs

- a. The number of signs, total area of all sign faces, location and design standards, on any lot or any street frontage must adhere to the restrictions established herein.

- b. Display Surface Area

- i. Pole, Monument, and Projecting Signs

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

- ii. Wall Signs

The Display Surface Area of a Wall Sign is the sum of the area of the minimum imaginary rectangles enclosing each word attached to any particular façade.

- iii. Double or Multi-faced Signs

Unless otherwise specified only one (1) side of a Double faced Sign shall be included in a calculation of sign area. However, each additional sign face shall be calculated as another sign.

- iv. Projecting Signs

1. No Projecting Sign shall project over a public right-of-way, except in the CBD District;
2. No Projecting Sign shall extend closer than two (2) feet to the curb line or edge of pavement; and,
3. No Horizontal Projecting Sign shall exceed 50 square feet in display surface area.

- v. Multiple Signs on a Single Structure

When a business has more than one (1) sign on a single structure, the sign area is to be calculated by individual geometric shapes of each sign.

- vi. Display Surface Area Computation Based on Lineal Footage

In computing permitted Display Surface Area for signs, the lineal footage of an abutting non-arterial street shall not be combined with the lineal footage of any abutting arterial street, freeway or freeway service road which is included in the computation of the permitted Display Surface Area.

vii. Maximum Display Surface Area per Zoning District

1. Except for wall signs and exempt signs, the total surface area of all business signs on each tract of ownership shall not exceed the following limits:

1. 0.5 square feet of sign area per lineal foot of street frontage for all lots zoned RS, RM, RT, AG, CS, IL not to be restricted less than 32 square feet nor exceed 54 sq.ft. Staff may approve signs larger than 54 sq.ft. provided the sign does not exceed the size of other business signs in the immediate area.
2. 1.0 square feet of sign area per lineal foot of street frontage for all lots zoned CG and CH not to be restricted less than 32 square feet nor exceed 75 sq.ft. Staff may approve signs larger than 75 sq.ft. provided the sign does not exceed the size of other business signs in the immediate area.
3. 2.0 square feet of sign area per lineal foot of street frontage for all lots zoned IM and IH, not to be restricted less than 32 square feet nor exceed 75 sq.ft. Staff may approve signs larger than 75 sq.ft. provided the sign does not exceed the size of other business signs in the immediate area.
4. 50 square feet of display area per sign in Parking or Office Districts
5. Shopping Centers shall not exceed 1.25 sq.ft. of signage for every 100-sq.ft. of Gross Leasable Area (GLA) within the shopping center.

2. Wall signs shall not exceed an aggregate Display Surface Area of two (2) square feet per each lineal foot of building wall to which the sign or signs is attached.

6.2. Maximum Number of Signs

- a. Except for wall signs, temporary signs, and exempt signs, the maximum number of business signs per lot of record shall be as follows:

- i. **Individual Lot/Single Business:** Only one (1) pole sign and one (1) monument sign shall be permitted per tract ownership, except:
 1. when there is a single ownership fronting on two (2) streets, not to include alleys or driveways; one (1) additional sign may be permitted if spaced at least 300-ft apart
 2. or when there is a single ownership on a contiguous lot with frontage in excess of 600-ft., one (1) additional sign shall be permitted with at least 300-ft. minimum separation between signs.
- ii. **Shopping Centers:** A building or group of buildings which share a common parking facility and/or drive approaches shall place signs on a common Project Sign(s). Only one (1) Project Sign shall be allowed except:
 1. when there is a frontage on two (2) streets, not to include alleys or driveways; one (1) additional sign may be permitted if spaced at least 300-ft apart
 2. or when there frontage in excess of 600-ft., one (1) additional sign shall be permitted with at least 300-ft. minimum separation between signs.
- iii. **Free Standing Single Tenant At Shopping Centers:** When free-standing buildings are located at shopping center locations, either as individually owned properties, or lease sites, the free standing buildings shall be considered part of the group of buildings in the shopping center. Signs for these occupancies may be permitted on the shopping center project sign.
 1. There shall be only one (1) sign per free standing single tenant building per occupancy or ownership.

6.3. Maximum Sign Height and Location

- a. The maximum permitted sign height shall be measured from the average level of the grade below the sign to the topmost point of the sign or sign structure.
- b. Except or unless otherwise provided herein no sign or sign structure shall exceed the following heights:
 - i. The maximum permitted height is 20 feet in AG, R, O, CS, or SR Districts.
 - ii. The maximum permitted height is 25 feet in CG, CH, CBD, IL, IM or IH Districts.

- c. Any sign or sign structure located within 165 feet of the right-of-way line of a State Highway, US Highway, Interstate Highway or other toll road or freeway may be erected to a height of not more than 45 35 feet above grade level of such thoroughfare at the point thereon nearest such sign or structure.
- d. No sign or structure shall be erected to a height greater than the horizontal distance from such structure to the nearest other property in an AG, R or O District.
- e. Business signs, including projecting signs, pole signs and monument signs, must maintain a minimum separation of 30 feet from the signs of other businesses.

6.4. Setbacks

- a. Signs and all parts thereof must be setback from the centerline of an abutting street one-half (1/2) of the right-of-way width designated on the Major Street Plan or 25 feet if the street is not designated on the Major Street Plan.
- b. Signs, other than those permitted in an AR or R District, if visible from such District other than a street, highway or freeway right-of-way, or if visible from a PUD Designated Residential Development Area, must be set back from such District or Area a minimum distance of 150 feet.
- c. Signs with a Display Surface Area larger than 300 square feet, which are visible from an AR or R district other than a street, highway or freeway right-of-way or if visible from a Designated Residential Development Area, must be set back at least 300 feet from such District or Area.
- d. Signs shall be setback a minimum distance of ten (10) feet from a freeway right-of-way.
- e. Wind operated signs shall be setback from the curb 1 foot for every one foot of height.

7. TEMPORARY SIGNS

7.1. Temporary signs, shall not require a sign permit and will be allowed as follows:

- a. Temporary decorative flags.
- b. Temporary off-premise public interest signs, including portable signs, inflatables, wind operated devices and banners, announcing activities or other events of a public, civic, philanthropic or religious organization, subject to the following:
 - i. Signs shall be a maximum size of forty (40) square feet.
 - ii. Only one (1) such sign shall be allowed per tract ownership per street frontage.

- iii. No piggy-backing of signs is allowed.
- iv. No temporary sign shall be located within 100 feet of another temporary sign.
- v. Temporary signs shall be permitted for a maximum period of thirty (30) days. Upon expiration, the sign along with any straps, ties, stakes, t- posts, or any other items installed for the placement of the sign must be removed.
- vi. Temporary signs must meet all requirements of the Sign Code.

- c. Temporary on-premise signs, including inflatables, wind operated devices, portable signs and banners, subject to the following:
 - i. Signs shall be a maximum size of forty (40) square feet.
 - ii. Only one (1) such sign shall be allowed per business, not to exceed two (2) signs per tract ownership; provided that on tracts with more than 300 feet of street frontage, one (1) sign shall be allowed per business, not to exceed three (3) signs.
 - iii. No piggy-backing of signs is allowed.
 - iv. No temporary sign shall be located within 100 feet of another temporary sign.
 - v. Temporary signs shall be permitted for a maximum period of sixty (60) days, and no additional temporary sign shall be permitted on the same tract for a period of fourteen (14) days after removal of the previous sign. Upon expiration, the sign along with any straps, ties, stakes, t-posts, or any other items installed for the placement of the sign must be removed.
 - vi. Temporary signs must meet all requirements of the Sign Code.
 - vii. In order to be eligible for a temporary on-premise sign, a business must have a permitted primary sign with the exception of a ninety (90) day grace period upon opening of the business.

8. Exempted Signs

- 8.1. Pole-mounted banner signs. Pole-mounted banner signs shall be mounted to permanent poles two-inches in diameter or larger. Such banners may contain the emblems, names, colors, products sold or services provided of business firms, religious, charitable, public or nonprofit organizations. Pole-mounted banners shall be limited to a maximum of one banner or a pair of banners per pole and each pole shall be spaced a minimum of fifty (50) linear feet apart along the street frontage. Banners shall not exceed a total of sixteen (16) square feet for each pole. Banners shall be framed on at least two sides and it must be contained entirely on the property it advertises. Additional banners may be located within the interior of the lot at the same separation and size limits.

- a. Street names and number signs.
- b. Signs which are attached as labels of a commodity offered for sale
- c. Signs not exceeding nine (9) square feet of display area and used for warning, security and directional signs for parking, restrooms, etc.
- d. Government signs, flags, insignia, legal notices or informational, directional or traffic signs.
- e. Political Signs erected solely for and pertaining to a public election, subject to the following restrictions:
 - i. Said signs shall not exceed more than sixty (60) days prior to any primary run off or general election to which the sign pertains.
 - ii. Said signs shall be removed within thirty (30) days after the general or run-off election to which the sign pertains.
- f. Signs in windows.
- g. One nameplate attached to the face of a wall and not exceeding four (4) square feet in surface area.
- h. Tablets built into the wall of a building or other structure and used for inscriptions, memorial tablets or for similar purposes.
- i. Legal notices.
- j. All signs not visible from off the property.
- k. Off-Premise Home For Sale and Open House signs, subject to the following:
 - i. Open House signs shall not be placed more than 24 hours in advance and shall be removed immediately following the event.
 - ii. Signs shall not exceed twenty-four (24) inches by thirty (30) inches in size, nor shall they be installed more than four (4) feet above grade.
 - iii. Signs shall have a minimum separation of twenty-five (25) feet and signs for any one advertiser must be at least 200 feet apart.
 - iv. Signs shall not be located in public right-of-way.
 - v. Signs shall not be located more than three (3) miles from the subject property.
 - vi. Signs shall be rigid, two-dimensional displays that advertise only one-and two-family properties for sale.

vii. Written permission shall be obtained from owners of property where the sign is located. Only one directional sign shall be allowed on any property.

I. Subdivision directional signs, subject to the following:

- i. Signs shall be a maximum size of thirty-two (32) square feet.
- ii. Signs must be placed upon unimproved property with the permission of the owner.
- iii. Signs must be placed at least 100 feet from any other subdivision or developer signs.
- iv. Signs may be erected for a maximum of one (1) year unless additional one-year approval is given by the Board of Adjustment. A maximum of two (2) one-year approvals shall be permitted by the Board of Adjustment.
- v. Signs shall meet all requirements of the Sign Code, including permitting requirements.

m. On-premise development signs (signs identifying a developer's property and sales office/model home sites), subject to the following:

i. Sales Office/Model Homes:

1. Signs shall be a maximum size of thirty-two (32) square feet.
2. Signs shall be a maximum height of fifteen (15) feet.
3. No sign shall be illuminated between the hours of 10:00 p.m. and 7:00 a.m.
4. Only one (1) sign per developer or builder is permitted.
5. Sign must be located on the site of the model home.
6. No sign may be erected for more than two (2) years.
7. Signs shall meet all requirements of the Sign Code, including permitting requirements.

ii. A developer's sign with a maximum area of thirty-two (32) square feet may be installed within a subdivision being developed, subject to the following regulations:

1. Such signs shall be located at major intersections or upon properties reserved for commercial use within the subdivision.

2. A developer's sign may include the names of active builders who are building within the subdivision.
3. Signs shall meet all requirements of the Sign Code, including permitting requirements.
 - iii. Street address signs not exceeding one (1) square foot in area.
 - iv. One (1) non-illuminated real estate sign, temporary in nature, advertising the sale or lease of real property on which the sign is located or announcing contemplated improvements of real property on which the sign is located, provided, however, that said sign shall not exceed eight (8) square feet in any one-or two-family dwelling district and shall not exceed thirty-two (32) square feet in any other district;
 - v. Signs on vehicles, provided, however, signs on vehicles used or intended to be used as on-premise signs are prohibited.
 - vi. Bench Sign subject to the following regulations
 1. One off-premise bench sign shall be allowed per business, not to exceed three per tract ownership
 2. No bench sign shall be placed within 100 feet of another bench sign
 3. Bench signs shall be located against the building; they may not be allowed to stand alone in the parking lot, by the curb or in the yard of the business.
 - vii. Signs used to advertise sponsors or services provided that they are located upon the property, or any structure located on the property of a publically (City, school, or University) owned sports complex or parks and recreation amenity or facility.

9. Interstate Corridor Signs

- 9.1. Use Conditions for Off-premise Signs.
 - a. Off-premise signs shall be permitted in all commercial zoning districts when located within an interstate corridor.
 - b. An off-premise sign shall be separated a minimum distance of three hundred feet (300) from any other off-premise sign. Spacing limitations shall not apply between signs separated by the interstate.
 - c. No off-premise sign shall be located within one hundred fifty (150) of a public park.

- d. Off-premise signs, if visible from a residential district other than street, highway, interstate right-of-way, or if visible from a designated residential development area, shall be set back from such district or area a minimum distance as follows:
 - i. One hundred fifty (150) feet if the display surface area is three hundred (300) square feet or less; or
 - ii. Two hundred (200) feet if the display surface area is greater than three hundred (300) feet.
- e. No portion of an off-premise sign shall be located within ten (10) feet of an interstate right-of-way.
- f. No off-premise sign shall contain more than two (2) sides. The two (2) sides shall face in opposite directions. "Opposite" shall, in addition to its ordinary meaning include V-shaped signs when the angle of separation of the display surfaces does not exceed thirty (30) degrees.
- g. No off-premise sign shall be included in the maximum number of signs on a lot of record or be included in the computation of display surface area. In no event shall an off-premise sign exceed five hundred (500) square feet of display surface area.
- h. An off-premise sign shall be oriented to be primarily visible from the interstate.
 - i. No off-premise sign shall contain flashing, blinking or traveling lights or reflective glitter.
- j. No off-premise sign shall be supported by more than two (2) posts or columns unless required by site engineering considerations and is certified as such by a registered professional engineer.
- k. Off-premise signs which have animation, revolving or rotating components or movement shall be subject to the following limitations:
 - i. No such sign shall be located within fifty (50) feet of the driving surface of a signalized intersection;
 - ii. No such sign shall be located within twenty (20) feet of the driving surface of a street; and
 - iii. No such sign, if visible from a residential district other than street, highway, or interstate right-of-way, or if visible from a designated residential development area, shall be located within two hundred (200) feet of such district or area.

- I. Illumination on the face of off-premise signs shall not be permitted to exceed seventy (70) foot candles measured at a two (2) foot distance.
- m. Off-premise signs shall maintain a minimum separation of thirty (30) feet from any roof, projecting, pole or monument sign.
- n. Any illumination shall be a constant light.
- o. No off-premise sign shall exceed eighty (80) feet in height; except when the interstate is elevated ten (10) or more feet above the grade where the sign is to be located, then in that event no off-premise sign shall exceed ninety (90) feet in height.

9.2. Maximum Display Surface Area: For signs located in an interstate corridor and in a CG or CH zoning, the maximum sign area shall not exceed 500 square feet.

10. SIGN ADMINISTRATION AND ENFORCEMENT

- 10.1. Violations and Penalties. Any person who shall violate any provision of this ordinance shall be punished by an administrative fine of not less than \$150.00 and not more than \$200.00 for each violation. Each day in which any violation shall occur shall constitute a separate offense.
In addition, the City Attorney is hereby authorized to take all actions, both legal and equitable, necessary to assure compliance with this ordinance.
- 10.2. Severability: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

11. SPECIAL DISTRICT EXEMPTIONS

- 11.1. Special Zoning Districts in the City shall be granted special status and are subject to the following exceptions to the sign ordinance.
- 11.2. Off-premise signs shall be permitted in the following instances:
 - a. Off-premise signs permitted pursuant to this section shall be limited solely to those entities in which the business entrance is located wholly on Missouri Street, Cherokee Street or Muskogee Avenue.

- b. Off-premise signage will be permitted on the bump-outs extending from the curb located at the corner of both Cherokee Street and Will Rogers Blvd and the corner of Missouri Street and Main Street.
- c. There shall be only one (1) off-premise sign per designated bump-out.
- d. There shall be only one (1) off-premise sign per business.
- e. The maximum permitted height of each sign is thirty-two (32) inches with a maximum width of thirty-two (32) inches.
- f. Signs shall be setback from the curb by a minimum of five (5) feet.
- g. Off-premise signs shall be permitted only during normal operating hours for the tenant building.
- h. The city assumes no responsibility for said off-premises signs. The owner assumes all responsibility and liability for any off-premise signs.

11.3. The city or an agency on its behalf may install banners that span the street from lamppost to lamppost in the following instances:

- a. Banners shall be limited to one banner at each of the spans at either end of Will Rogers Blvd within the Downtown District in areas designated by the city.
- b. Banners must be of a public interest announcing activities or events sponsored by the city or agencies supported by the city.
- c. The maximum permitted height of the banner shall not exceed the distance between the mounting brackets on each lamppost.
- d. Banners shall provide a minimum clearance of fourteen (14) feet above Will Rogers Blvd.
- e. Banners shall be permitted for a period not to exceed fourteen (14) days.

11.4. Event Banners shall be permitted in the following instances:

- a. Event Banners shall be limited to placement in areas designated by the city within the Special Districts.
- b. Banners must be of a public interest announcing activities or events sponsored by the city or agencies supported by the city.
- c. Event banners shall be permitted for a period not to exceed fourteen (14) days.
- d. Event banners shall be removed within forty-eight (48) hours after the event.

11.5. Permitting

- a. Off-premise signs shall be required to obtain a permit to be renewed on an annual basis.

- b. Spanning Banners shall be required to obtain a permit and pay an installation fee of \$200 or the actual cost of installation, whichever is greater.

12. Industrial Parks

- 12.1. A sign displaying the name of an industrial park and/or a directory of businesses and industries within the industrial park listed herein shall be permitted in any commercial or industrial zoning district in the park. The industrial park is listed as follows:
 - a. Claremore Industrial Park
- 12.2. Use Conditions for Off-premise Signs.
 - a. No more than one sign shall be located at or near any entrance to an industrial park or any intersection within the industrial park.
 - b. A gateway sign that introduces or welcomes visitors to the industrial park (may include panels with business names) shall be limited to 250 square feet of sign area and shall be limited to a maximum height of twenty-five (25) feet. Directional signage shall be limited to twenty (20) square feet.
 - c. Panels may be added to signs that are classified as non-conforming as of the effective date of this ordinance.
 - d. Signs shall not be located in the sight distance triangle.
 - e. Each industrial park gateway sign shall include the name of the industrial park.

13. Sign Maintenance Regulations

- 13.1. Purpose.
 - a. The purpose of this section is to establish maintenance regulations for signs so that the signs are maintained in a reasonably safe condition and continue to conform to the aesthetic standards established in this division. This section shall apply to all signs that are allowed in this chapter 11.
 - b. Signs which do not conform to all applicable provisions of this section shall be made to conform by means of alteration, repainting, reinforcing, repairing or any other such operation short of relocation, reconstruction or removal within one hundred eighty (180) days from the effective date of the ordinance from which this section is derived.
- 13.2. Declaration of nuisance. An abandoned sign or a sign determined to be in a dilapidated or deteriorated condition is detrimental to the health, safety and welfare of the public, tending to reduce the value of surrounding property and contributing to urban blight, and is hereby found to be adverse to the vitality, maintenance and

continuing development of the city and is hereby found and declared to be a public nuisance.

13.3. Maintenance of signs.

- a. Maintenance. All portions of a sign, including the display surface, shall be kept in good repair at all times so that the entire sign is clearly legible and free of damage, deterioration and/or defacement. Each sign shall be maintained in a safe and presentable manner, including the replacement of defective parts and other acts required for the maintenance of such sign, without altering the basic copy, design or structure of the sign.
- b. Dilapidated, deteriorated or abandoned signs. No person shall maintain or allow to be maintained on any premises owned or controlled by him or her any sign which is in a dilapidated, deteriorated or abandoned condition as defined herein. Upon notice of violation, any such sign shall be promptly removed or repaired by the owner of the sign or the owner of the premises where the sign is located in accordance with such notice.
- c. Sign face. No person shall maintain or permit to be maintained on any premises owned or controlled by him or her any sign that has had the sign face removed. Such sign shall have a blank face installed.
- d. Violations.
 - i. A person, for purposes of this section, shall mean the owner, agent, or any other individual or legal entity having the beneficial use of a sign and/or the owner or lessee of the land or structure where the sign is located.
 - ii. It shall be unlawful for any person to abandon or fail to maintain, or otherwise allow the continued existence of any sign that is in violation of section 1111 of this chapter.
 - iii. It shall be unlawful for any person to violate any term or provision of this chapter.

Article XI – Definitions

Abandoned Sign: A lawfully erected sign that identifies or advertises a business or activity that has ceased to operate on the premises where the sign or sign structure is located for more than one (1) year, or lawfully erected temporary sign where the time period allowed for display of the sign has expired.

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

Accessory: A use, building or structure, part of a building or other structure which is subordinate to and the use of which is customarily incidental to that of the main building, structure or use on the same lot, including a private garage, except that accessory off-street parking need not be located on the same lot with the principal use to which it is accessory. If an accessory building is attached to the main building by a common wall or roof, such accessory building shall be considered a part of the main building.

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

Administrator: The Administrative Official so designated by the City of Claremore to enforce the Unified Development Code in the incorporated areas under the jurisdiction of the Planning Commission.

Advertising Devices: Banners or streamers affixed to poles, wires, or ropes, wind operated devices, flashing lights, and other similar contrivances.

All-Weather Material: A hard surface, dust-free material capable during ordinary use of withstanding normal weather conditions without substantial deterioration. Gravel, rock, or screenings alone, without use of petroleum or cement binder, does not meet the definition of an all-weather, dust-free material in incorporated areas.

Alley: A minor right-of-way dedicated for public use which gives secondary means of vehicular access to the back or side properties otherwise abutting a street, and which may be used for public utility purposes but is not intended for general traffic circulation.

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

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

Antenna: A transmitting and/or receiving device used in telecommunications that radiates or captures a signal. As used in this Ordinance, references to Antenna also include Antenna Supporting Structure.

Antenna Supporting Structure: A telecommunications facility that consists of a standalone support structure which has as its principal use the support of Antenna(s) and associated equipment and improvements.

Anticipated Development: Full potential urbanization of the contributing watershed, considering the Comprehensive Plan and the reasonable assumption that in considering the effects of a proposed

development in a floodplain area that there will be an equal degree of encroachment extending for a significant reach on both sides of the stream or watercourse.

Appeal: As it pertains to floodplain management, a request for a review of the Floodplain Administrator's interpretation of any provision of this Regulation or a request for a Variance.

Area of Shallow Flooding: A designated AI, AH or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one (1) percent chance or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard: The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHB). After detailed ratemaking has been completed in preparation for publication

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

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

Back-to-Back Sign: An advertising structure with two closely located signs with faces in opposing directions, spaced less than ten (10) feet apart at the point of shortest measurement.

Banner sign: A sign with characters, letters, or illustrations applied to a thirteen (13) ounce or less PVC banner material or cloth intended to be hung, suspended, or otherwise attached without a rigid framework.

Bar/Tavern: A commercial establishment open to the general public which sells and serves intoxicating beverages or low-point beer (as defined in this Chapter) for consumption on the premises.

Base Flood: The flood having a one (1) percent chance of being equaled or exceeded in any given year.

Bed and Breakfast Inn: A residential structure that provides not more than six (6) guest rooms and meals for overnight guests who pay a fee for such services. Said structure may also be rented for special events such as weddings, receptions, anniversaries, private dinner parties, business seminars, etc., as may be approved by the Board of Adjustment.

Beer Bar: A commercial establishment open to the general public which sells and serves low-point beer (as defined in this Chapter) for consumption on the premises.

Bench Sign: A sign incorporated into the seat or back of a bench which is intended to be sat on by customers. Signs typically include one or more off-premise advertisements.

Berm: A mound of earth or raised form of earth to provide screening to improve the aesthetic character.

Billiard Center, Family: A principal use billiard facility which caters to families and which excludes the sale and consumption of intoxicating beverages or low-point beer (as defined in this Chapter) on the premises.

Billiard Hall/Pool Hall: A principal use billiard facility open to the general public which sells and serves intoxicating beverages or low-point beer (as defined in this Chapter) on the premises.

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, a railroad right-of-way, shoreline of a waterway, or boundary line of a municipality.

Board of Adjustment (BOA): The Board of Adjustment of the unit of government, also referred to in this Zoning Ordinance as "Board".

Boarding House: A dwelling other than a hotel where for compensation and by prearrangement for definite periods, lodging or lodgings and meals are provided for three (3) or more, but not exceeding 20 persons on a weekly or monthly basis.

Brewery: A brewery with an annual beer production of over 15,000 barrels per year.

Brewpub: A restaurant-brewery that sells 25 percent or more of its beer on site. The beer is brewed primarily for sale in the restaurant and bar. The beer is often dispensed directly from the brewery's storage tanks.

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

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

Building Inspector: As designated by the City of Claremore and may include, but is not limited to, the electrical inspector, plumbing inspector, mechanical inspector, code enforcement officer or fire marshal.

Business Sign: Any display, device, figure, plaque, poster, billboard or sign maintained or used to advertise or to inform or to direct the attention of the public to a business or activity conducted upon the premises upon which such sign is located or to a product or service sold or rendered thereon.

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

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

Church: All contiguous property owned or leased by a church, upon which is located the principal church building or structure, irrespective of any interior lot lines.

City: The City of Claremore, Oklahoma.

City Council: The City Council of the City of Claremore, Oklahoma.

City Engineer: The Office of the City of Claremore Engineer.

Clerk: The Clerk, City or County of the unit of government.

Collocation: The locating of two (2) or more wireless telecommunication system providers on one antenna which shall have been designed and constructed to accommodate such collation.

Commercial: Land uses generally categorized as retail, office, services, and similar uses.

Community Garden: One or more lots or parcels of land used to produce vegetables, fruits, flowers, or other plant material for personal use by the property owner or individuals authorized by the property owner.

Community Group Home: A community-based residential facility for independent living that provides room and board, personal care and habitation services in a family environment as a single-housekeeping unit for seven (7) or more resident elderly or disabled persons (mentally and/or physically impaired) with at least one (1) resident staff person.

Comprehensive Plan: The master plan for the physical development of the City of Claremore and its annexation fence line prepared and adopted by the Planning Commission and approved by the City of Claremore pursuant to 11 O.S. § 43-103 and subsequent amendments thereto and includes any part of such Plan.

Concept Plat: A map or chart of a proposed land division prepared in accordance with the Unified Development Code regulations showing the general layout of streets and reservations of land, street improvements, drainage, water and sewage, floodplains, the availability of existing utilities and other related information.

Conservation Subdivision Development: Conservation subdivisions, sometimes called cluster developments, maintain a significant portion of a development site in common open space by minimizing individual lot sizes, while maintaining the overall density of development specified by a local master plan. Conservation subdivisions should be designed around the area proposed to be preserved in open space; that is, the areas for open space preservation should be set aside before the streets and lots are laid out. The design process for conservation subdivisions should follow three basic steps:

1. Identification and analysis of existing conditions, or site analysis;
2. Delineation of preservation areas; and
3. Layout of dwelling locations and street and lot pattern.

Construction Plan: The maps or drawings prepared by a registered professional engineer licensed to practice in the State of Oklahoma accompanying a preliminary or final subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the City Engineer and the Planning Commission as a condition of the approval of the plat.

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

County: Rogers County, Oklahoma.

County Clerk: The Clerk of Rogers County, Oklahoma.

Coverage: The lot area covered by all buildings located thereon.

Critical Feature: An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Cul-De-Sac: A minor Street with only one outlet and having a terminus for the safe and convenient reversal of traffic movement including all emergency and service vehicles, and a maximum length of 500 feet measured from the entrance to the center of the turn-around.

Curb Level: The average level or elevation of the established curb along the front 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 Ordinance.

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

Deeds of Dedication: The instruments(s) of public record by which specified interests in land are described and conveyed to the public and by which the formalities prerequisite to the recording of a subdivision plat or other similar instrument are set forth and which may, though not required set forth private covenants establishing requirements for buildings.

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

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

Dilapidated or Deteriorated: Any sign:

1. Where elements of the sign surface or background have portions of the finished material missing, broken or otherwise existing in a condition that they are illegible;
2. Where the structural support or frame members are visibly bent, broken, dented, torn or loose;
3. Where the exterior of the support, frame members or sign have rust, corrosion or missing protective coating that comprises the structural integrity of the sign as determined by the Building Official;
4. Where the sign panel is visibly cracked or, in the case of wood and similar products, splintered in such a way as to constitute an unsightly or harmful condition;
5. Where the sign or its elements are twisted, leaning or are at angles other than angles that the sign was originally erected (i.e. a sign that is out of vertical or horizontal alignment as a result of, for example, being blown over or due to the failure of a structural support);
6. Where temporary signs are not maintained from wear and tear in a way that they detract from the visible quality of the sign as determined by the Zoning Officer; or
7. Where the sign or its elements are not in compliance with the requirements of the adopted electrical code and/or the building code.

Display Surface Area:

1. Ground or Projecting Signs – Shall mean the area enclosed by the minimum imaginary rectangles which fully contains all extremities of the sign, exclusive of its supports. This rectangle is to be calculated from an orthographic projection of the sign viewed horizontally. A viewpoint for this projection is to be taken which gives the largest rectangle of that kind as the viewpoint is rotated horizontally around the sign. If elements of

the sign are movable or flexible, the measurement shall be taken when the elements are fully extended and parallel to the plane of view.

2. **Wall Signs** – Shall mean the sum of the areas of the minimum imaginary rectangles enclosed each word or number or character attached to any particular façade.

3. **Window Signs** – Shall mean the sum of the areas of the minimum imaginary rectangles enclosing each word, figure, design and symbol if the window or other transparent material forms the background, or the entire area of the background material when such material is translucent or opaque.

Drip line: The periphery of the area underneath a tree that would be encompassed by perpendicular lines extending from the exterior edges of the crown of the tree.

Drive-In Eating Place: Any place or premises used for sale, dispensing or serving of food, refreshments or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages on the premises.

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

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

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

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

Engineering Department: Engineering Department of the City of Claremore.

Engineering Design Criteria: The criteria for engineering design and construction of infrastructure and other improvements related to the development of subdivisions adopted by the City.

Existing Construction: For the purposes of determining flood insurance rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. "Existing construction" may also be referred to as "existing structures".

Face: That area of a business sign containing the advertising information, painting, drawing or message intended or used to advise or inform, and excluding trim and supports.

Face of Building: The total area of the main wall of a building, including windows, doors and openings, that abuts the front yard of a building or walls that are located on the front property line. On corner lots the face of the building shall include main walls facing the front yard and side yard or main walls fronting on all front and side property lines.

Family:

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

Family Daycare Home: A dwelling used to house and provide supervision and care for not more than seven (7) children which shall include those preschool children under five (5) years of age who reside in the residence.

Flashing Signs: Any sign, the illumination of which is not constant in intensity when in use except illuminated signs which indicate the date, time or temperature, or other public service information displayed by or at the direct request of city, county, state or federal agency shall not be considered a flashing sign.

Flood Insurance Rate Map (FIRM): An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the City or County.

Flood Insurance Study: The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the Base Flood, as well as the Flood Boundary-Floodway Map.

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

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

Flood Protection System: Those physical structural works for which funds have been authorized, appropriated and expended which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "Special Flood Hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Floodplain or Flood-Prone Area: Any land area susceptible to being inundated by water from any source.

Floodway (Regulatory Floodway): The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the Base Flood without cumulatively increasing the water surface elevation more than a designated height.

Foster Home: A dwelling used in whole or in part as living quarters for a household including one or more minor children placed by a licensed child placement agency who are not members of the family occupying said dwelling but are under their supervision. 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 side of a lot abutting a street to which access is available from said lot.

Functionally Dependent Use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Governing Body: The City Council of the City of Claremore, Oklahoma.

Grade: The slope of a road, street, or other public way, specified in percent (%) of vertical to horizontal measurements.

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

Height, Building: 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 209 shall apply.

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

Home Occupation: That accessory use of a dwelling which constitutes some or all of the livelihood of a person living in the dwelling. Home occupations shall not include barber shops, commercial stables, or kennels or an office for an interior decorator or other workshops.

Home Owner's Association: An incorporated nonprofit organization operating under recorded land agreements through which:

1. Each lot and/or homeowner in a Planned Unit Development or other described land area is automatically a member; and
2. Each lot is automatically subject to a charge for a proportionate share of the organization's activities, such as maintaining a common property; and
3. The charge, if unpaid, becomes a lien against the property.

Hotel: A building or group of buildings under one ownership containing six (6) or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who are lodged with or without meals for compensation. Not included in this definition are auto or trailer courts or camps, sanitariums, hospitals, asylums, an orphanage or building where persons are housed under restraint.

Interstate: A street designated as an Interstate on the Major Street Plan.

Interstate Sign Corridor: An area of 200 feet in width on each side of and adjacent to the publicly acquired right-of-way of an interstate.

Intoxicating Beverages: All beverages, as defined in Section 506 of Title 37, Oklahoma State Statutes.

Junk and Salvage Yard: An open area, lot, land, parcel, building or structure or part thereof where wastes or used or secondhand materials are bought, sold, exchanged, stored, processed, crushed or handled. Materials shall include, but are not limited to scrap iron and other metals, paper, plastic, rags, rubber tires, salvaged or dismantled vehicles, vehicular parts, wrecked vehicles, bottles or cans.

Kennel: Any place on premises used to harbor, keep or possess in any one (1) place or premises more than a combined total of five (5) dogs and cats over the age of four (4) months; provided that not more than three (3) of such animals shall be dogs over the age of four (4) months. It is specifically provided a household may keep or possess more dogs and/or cats than permitted by this Paragraph so long as:

1. Immediately prior to June 15, 2000, the household legally possessed more than the number of dogs and/or cats permitted by this Paragraph; and
2. Those dogs and/or cats were licensed according to City Ordinances; and
3. The dogs and/or cats kept or possessed are same such animals that were kept or possessed pursuant to (1) and (2) of this Paragraph; or
4. The household or an individual in the household has secured a hobbyist exemption as required by City Ordinance.

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

Land Coverage: The area of a lot covered by a building or buildings, not to include area used for enclosed structural parking.

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

Levee: A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

Levee System: A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

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

Lot:

Area: The total horizontal area included within lot lines.

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

Corner: A lot with at least two (2) adjacent sides abutting a street for their full length.

Depth: The distance between the midpoints of a straight line connecting the foremost points of the side lot lines and a straight line connecting the rearmost points of the side lot lines.

Line: Any boundary 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 of the County in which the parcel is located.

Lot-Split: Any subdivision containing not more than four (4) lots and fronting on an existing street, not involving any new street or road, or extension of municipal facilities, or creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Major Street Plan, or this Unified Development Code.

Width: The distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided however that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80 percent of the required lot width except in the case of any lot on the turnaround of a cul-de-sac, in which case the 80 percent requirement shall not apply.

Low-point Beer: Includes beverages containing more than one-half of one percent (0.5%) alcohol by volume, and not more than three and two-tenths (3.2%) alcohol by weight, including but not limited to beer or cereal malt beverages obtained by the alcoholic fermentation of an infusion of barley or other grain, malt or similar products.

Major Street Plan: The master plan that guides alignments as it relates to major streets and highways.

Manufactured Home (Mobile Home): A structure, transportable in one or more sections, which in the traveling mode is eight (8) body feet or more in width or 40 body feet or more in length, or when erected on site is 320 square feet or more, and which is built on a permanent foundation when connected to the required utilities, and includes the required plumbing, heating, air-conditioning and electrical systems. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For flood insurance purposes the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

Manufactured Home Park: Land or property which is used or intended to be used or rented for occupancy by one or more manufactured homes.

Marquee Sign: Any sign affixed to a marquee over the entrance or on the face of a building and supported from the building.

Massage Establishment, Licensed: Any establishment or place of business where any person engages in, conducts, carries on or permits to be engaged in, conducted or carried on, any business of the manipulation of the body by means of massage as otherwise defined and regulated by the Zoning Ordinance or the City of Claremore, Oklahoma Code of Ordinances.

Mean Sea Level: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

Microbrewery: A brewery that produces less than 15,000 barrels of beer per year and sells a portion of the product directly to the consumer through carry-outs and/or on-site taproom or restaurant sales.

Mini-Storage: Microbrewery: A brewery that produces less than 15,000 barrels of beer per year and sells a portion of the product directly to the consumer through carry-outs and/or on-site taproom or restaurant sales.

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

Mobile Food Establishments: A facility that prepares food and/or sells packaged food and that is vehicle mounted and readily moveable.

Mobile or Portable Office: A pre-manufactured unit with or without wheels, axles or hitches, especially manufactured or modified to become an office. The term "mobile or portable office" does not include the term mobile or manufactured home, travel trailer, recreational unit or modular home.

Modular Dwelling (Modular Home): A factory-built home, other than a manufactured home, which meets all of the following requirements:

1. Is designed only for erection or installation on a site-built permanent foundation;
2. Is not designed to be moved once so erected or installed;
3. Is designed and manufactured to comply with a nationally recognized and locally adopted Building Code for site-built housing; and
4. To the manufacturer's knowledge, Mobile Food Establishments: A facility that prepares food and/or sells packaged food and that is vehicle mounted and readily moveable.

Mobile or Portable Office: A pre-manufactured unit with or without wheels, axles or hitches, especially manufactured or modified to become an office. The term "mobile or portable office" does not include the term mobile or manufactured home, travel trailer, recreational unit or modular home.

Modular Dwelling (Modular Home): A factory-built home, other than a manufactured home, which meets all of the following requirements:

1. Is designed only for erection or installation on a site-built permanent foundation;
2. Is not designed to be moved once so erected or installed;
3. Is designed and manufactured to comply with a nationally recognized and locally adopted Building Code for site-built housing; and
4. To the manufacturer's knowledge, is not intended to be used other than on a site-built permanent foundation.

Monument Sign: A low profile sign affixed to the ground with little or no open space between the ground and the sign.

Motel: One (1) building or two (2) or more detached buildings for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation with or without supplying food and shall include a motor court or auto court.

Moving Sign: Any sign which moves or has moving parts other than parts which indicate time, temperature; or other than moving devices which provide needed public service information.

New Construction: For floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by the City or County.

Night Club: A commercial establishment open to the general public, usually serving intoxicating beverages and/or low-point beer (as defined in this Chapter), having a floor show, and providing music and a space for dancing.

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

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

Non-Residential: Land uses generally categorized as commercial, industrial, and any other use that does not fit within the Residential definition.

Noxious: When used with reference to any use or activity in respect to any land, building or structure or a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to created, by reason or destructive gas or fumes, dust, objectionable odor, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk, waste of other material, a condition which may become hazardous or injurious as regards to health or safety of which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use of activity in respect of any land, building or structure.

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

Off-Premise Sign: A business sign which directs the attention of the public to a business or activity conducted or product or service sold or offered at a location not on the same premises where such business sign is located.

Open Space: Space on the ground, which is not built upon or otherwise improved to an impervious state (such as for buildings, drives or walkways) and which is maintained for active or passive recreational or buffer type uses.

Outdoor Advertising Sign: Any display, device, figure, plaque, poster, billboard or sign maintained or used to advertise, promote or direct attention of the public to a business or activity other from that conducted upon the premises upon with such sign is located.

Parking Space, Off-Street: A space on a lot intended and reserved for the parking of an automobile.

Pedestrian Priority Frontage: The area between the curb of a street and the front of a building that is primarily designed for pedestrian comfort, without conflicts from vehicles. Frontage design reflects the context of the building adjacent with either hardscape or landscape finishes.

Permanent Foundation: A foundation which meets the Building Codes of the unit of government.

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

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

Planning Commission: The City of Claremore Planning Commission.

Plat

Lot-Split Deed: A map or chart of land subdivision prepared in accordance with these Unified Development Code regulations in a form suitable for filing in the Office of the County Clerk.

Preliminary Plat: A map or chart of a proposed land subdivision prepared in accordance with these Unified Development Code Regulations showing the concept, character, and general details of the proposed development.

Final Plat: A map or chart of land subdivision prepared in accordance with these Unified Development Code Regulations in a form suitable for filing in the Office of the County Clerk, including necessary affidavits, dedications, and acceptances, and containing a complete engineering description including references to field markers sufficient to locate on the ground all streets, alleys, blocks, lots, and other elements of the subdivision.

Pole Sign: A freestanding business sign which is permanently supported by one or more poles or uprights.

Portable Sign: Any sign not permanently attached to the ground or structure or a sign designed to be transported by means of wheels.

Premises: An area under a single ownership or a single lease, no part of which is separated from the other by any land under a different ownership or lease agreement.

Private Club: A private commercial establishment, not open to the general public, but which is operated for profit and sells and serves intoxicating beverages or low-point beer (as defined in this Chapter) for consumption on the premises.

Project Sign: A sign or signs displaying the name of a shopping center and/or tenants occupying space within a shopping center.

Projecting Sign: Any sign which is firmly attached to a building and extends outward therefrom.

Record Drawings: The drawings as issued for construction on which the developer's engineer, upon completion of the work, has shown changes due to addenda or change orders and other information which said engineer considers significant based on record documents furnished by the contractor and/or inspector to said engineer and which were annotated by the contractor to show changes made during construction.

Recreation Area: The open, unobstructed space on a lot, including the open unobstructed space accessible to all occupants of any residential or commercial building or structure on the lot, which is suitable and used for growth and maintenance of grass, flowers, bushes and other landscaping and may include any surface pedestrian walk, patio, pool or other similar area, but does not include any driveway, ramp or parking area.

Recreational Vehicle: A vehicle which is: 1) Built on a single chassis: 2) Four hundred square feet or less when measured at the largest horizontal projections: 3) Designed to be self-propelled or permanently towable by a light duty truck: and 4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreations, camping, travel, or season use.

Residential: Land uses generally categorized as housing including single-home, two-home, or multi-home uses.

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

Resolution: An instrument passed by the governing body of the City of Claremore and signed by the City Clerk.

Rest Home: A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.

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

Restrictive Covenants: An agreement of public record that restricts the use or occupancy of real property and sets forth a formal binding agreement that runs with such land and binds future landowners, his or her successors, or assigns to such agreements.

Right-of-Way: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electrical and communication services, oil or gas pipeline, water main, sanitary or storm water main, shade trees, or for other special use. The usage of the term "right-of-way" for purposes of other than the platting of land shall mean that every right-of-way thereafter established and shown on the final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or area of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees, or otherwise involving construction or maintenance by a public agency shall be

dedicated to the public use by the maker of the plat on which such right-of-way is established. All such dedications are subject to the final approval by the City.

Roof Sign: Any sign painted, erected, constructed, or maintained upon the roof of any building.

Rooming 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 (e.g. Nursing Home, Group Home, Transitional Living Center, Residential Treatment Center, etc.), and exclusive of a hotel or motel.

RV Park: A parcel or tract of land under the control of any person, organization or governmental entity wherein two or more camping unit sites are offered for, let for the use of, the public or members of an organization by rent or lease.

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

Scrap and Waste Materials, Wholesale: Establishments engaged in assembling, breaking up, sorting or distributing scrap and waste materials, including auto wrecking and junk establishments.

Seasonal Outdoor Sellers (Non-food): Sellers offering retail sales of seasonal goods, products, wares or merchandise e.g. Christmas trees, plant sales, fireworks, etc.

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

Service Organization, Club or Lodge: Not for profit lodge, post, club, fraternal, benevolent or charitable organization.

Short Term Rental: Any residential structure, or a portion thereof, used for lodging accommodations to occupants for a period of less than 30 consecutive days.

Sign: An identification, description, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land and which directs attention to a product, place, activity, person, institution or business.

Sign Area: The entire area of the actual message or copy area. It shall include decorative trim or embellishments but shall not include structural elements outside the limits of such display surface and not forming an integral part of the display. On all signs, all faces shall be counted in computing the sign area with the exception of double-sided signs.

Site Development Plan: A plan drawn at a scale of not less than one (1) inch equals 50 feet which shows:

1. The topographic characteristics of the site at two (2) foot contour intervals;
2. The location and dimensions of buildings, yards, courts, parking spaces and other features; and
3. The use of each building and area, adjacent streets, alleys, utility, drainage and other easements, and the relationship of the development to adjacent areas which it may affect.

Special Exception: A use or a design element of a use which is not permitted by Right in a particular Zoning District because of potential adverse effect, but which if controlled and conditioned in the particular instance

as to its relationship to the neighborhood and to the general welfare, may be permitted by the Board of Adjustment. These uses may be permitted only where specifically authorized by this UDC.

Specific Use: A land use designation that requires an additional review based on the potential impacts on the general area and intensity of the use.

Start of Construction: For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Public Law 97-348), includes substantial improvement and means the date the building permit was issued provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include excavation for basement, footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Street or Highway Frontage: The distance along any one side of any public street or highway, street or alley, measured along the right-of-way line or parallel to the normal right-of-way line where the right-of-way line is not fixed.

Streets

Arterial: A thoroughfare designated on the Major Street Plan that carries a significant portion of interurban vehicle traffic at moderate speeds with some traffic stops.

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

Centerline: For the purposes of the Bulk and Area calculations of this Zoning Ordinance, it is assumed that the Centerline of the Street is the Centerline of the planned right-of-way.

Collector: A thoroughfare designated on the Major Street Plan that is intended to move traffic from minor streets, including the principal entrance and circulation street or streets of a development.

Intersection: The point at which any street joins another street at an angle, whether or not it crosses the other.

Major: Highways, arterials (primary/principal and secondary/minor, and collector streets shown on the Major Street Plan.

Minor: Any trafficway of limited length not classified on the Major Street Plan that provides direct access to abutting tracts of land and access to more heavily traveled streets, and that is designated in such a manner to discourage its use by through traffic.

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

Subdivision

Minor: A subdivision development that is planned to be platted without phasing and less than 50 acres.

Major: A subdivision development that is either platted in phases or a subdivision that is more than 50 acres.

Story: A room or set of rooms on one (1) floor level of a building.

Structural Alterations: Any change in the supporting members of a structure.

Structure: Anything constructed or erected with a fixed location on the ground, and includes but is not limited to buildings, walks, fences, signs, and a gas or liquid storage tank that is principally above the ground as well as a manufactured home.

Substantial Improvement: Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. However, "Substantial Improvement" does not include:

1. Any project for improvement of a structure to comply with the existing state or local health, sanitary or safety code specifications which is required to assure safe living conditions; or
2. Any alteration of a structure listed on the National Register of Historic Places or the State of Oklahoma Inventory of Historic Places.

Supplemental District: A Zoning District to be mapped as an overlay to a use district. The overlay is to be used to modify or supplement the regulations of the general Zoning District in recognition of distinguishing circumstances such as Historic Preservation or Planned Unit Development. The overlay must maintain the character and purposes of the Zoning District over which it is superimposed and be consistent with the Comprehensive Plan.

Temporary Food Service Establishments: Temporary facility in conjunction with a single event or celebration not to exceed the duration of the event for a maximum of three (3) days.

Temporary Sign: Any sign that is used only temporarily or is not permanently mounted.

Territorial Jurisdiction: The area within which the Planning Commission has jurisdiction over the subdividing of land, as provided by 11 O.S., Section 45-104, as amended. Said area consists of those parts of Rogers County for which the Planning Commission has adopted, and the City Council has approved a Comprehensive Plan (Including a Major Street Plan), and/or zoning districts and classifications.

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

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, alcoholism or drug abuse.

Travel Trailer: Any vehicular portable structure built on a chassis used as a temporary dwelling for travel, recreational or vacation use and when factory equipped for the road, it shall have a body width not exceeding eight (8) feet and an overall length not exceeding 35 feet, including hitch and coupling and be licensed as a travel trailer under H.B. 1541.

Variance: A relaxation of a restriction of this Ordinance granted by the Board of Adjustment where by reason of exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation, condition or circumstance of a particular property, the literal enforcement of this Ordinance would result in unnecessary hardship. A Variance, therefore, permits construction or development in a manner otherwise prohibited by this Zoning Ordinance. As it pertains to floodplain management, for full requirements see Section 60.6 of the National Flood Insurance Program Regulations.

Veterinarian Clinic: A building, or a portion of 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.

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

Wall Sign: Any sign which is painted on or firmly attached to a wall of any building, and which does not extend beyond the building more than twelve (12) inches.

Water Surface Elevation: The height, in relation to the National Geodetic Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Wild or Exotic Animals: As regulated by this Ordinance, Wild or Exotic Animals shall include any non-human primate, carnivore (non-domestic flesh-eating mammals), venomous reptiles (snakes or lizards) and non-venomous reptiles reaching eight (8) feet or more in length and/or weighing 40 pounds or more at maturity.

Yard:

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

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

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

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