

ORDINANCE NO. 3201

“AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF STILLWATER BY AMENDING CHAPTER 23, LAND DEVELOPMENT CODE, ARTICLE III, LAND DEVELOPMENT PROCESS, SECTION 23-60, CLOSING OF PUBLIC WAYS AND EASEMENTS; BY AMENDING ARTICLE V, USE CATEGORIES AND LIMITATIONS, DIVISION 1, GENERALLY, SECTION 23-96, DEFINITIONS TO AMEND PERSONAL AND LAUNDRY SERVICES AND PERSONAL STORAGE AND WAREHOUSING; BY AMENDING ARTICLE VI, LAND USE CLASSIFICATIONS, DIVISION 3, RESIDENTIAL DISTRICT, SECTION 23-140, RMH RESIDENTIAL MOBILE HOME DISTRICT; BY AMENDING DIVISION 4, COMMERCIAL DISTRICTS, SECTION 23-150, O OFFICE DISTRICT; SECTION 23.152, CB COMMERCIAL BUSINESS DISTRICT; SECTION 23-153, CG COMMERCIAL GENERAL DISTRICT; BY AMENDING DIVISION 5, INDUSTRIAL DISTRICTS, SECTION 23-160, IL LIGHT INDUSTRIAL DISTRICT; BY AMENDING ARTICLE VII, SIGNS, DIVISION 1, GENERALLY, SECTION 23-185, DEFINITIONS TO AMEND BANNER SIGN AND GRADE; BY AMENDING ARTICLE VIII, PARKING AND LOADING STANDARDS, DIVISION 1, GENERALLY, SECTION 23-211, DESIGN STANDARDS; BY AMENDING ARTICLE XVII, REQUIRED IMPROVEMENTS, DIVISION 3, IMPROVEMENTS, SECTION 23-356, SIDEWALKS; AND BY AMENDING ARTICLE XXIV, TABLE OF USES, SECTION 23-435, CREATED, AMENDING THE COMPREHENSIVE ZONING TABLE”.

(AMENDMENTS HIGHLIGHTED BY STRIKETHROUGH AND UNDERLINING)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STILLWATER, OKLAHOMA THAT:

**SECTION 1:** That the Stillwater City Code, Chapter 23, Land Development Code, Section 23.60 be amended to read as follows:

**Sec. 23-60. - Closing of public ways and easements.**

(a) *Application.* Requests for closing of public ways and easements shall be initiated by submitting the following documentation to the development services department:

- (1) Completed application and checklist on the appropriate form furnished by the development services department;
- (2) A typewritten and electronic/digital copy of the legal description of the subject property, capable of being reproduced;
- (3) Copy of existing and proposed restrictive covenants on the subject property;
- (4) Applicable filing fee; and
- (5) A typewritten list and electronic/digital data capable of being reproduced as mailing labels, certified by a licensed abstractor, attorney, engineer or architect, of all property owners within 300 feet of the subject property. The ownership list shall have been prepared no more than 30 days prior to submission.

(b) *Notice requirement.* Prior to closing public ways or easements, a public hearing shall be conducted by the city council in accordance with the notice and procedural requirements herein. The city council shall fix the date and time of the public hearing by motion. Written notice of any proposed closing of a public way or easement shall be given to any holder of a franchise or others determined by the city to have a special right

or privilege granted by ordinance or legislative enactment to use the subject public way or easement. Such written notice shall be given at least 30 days prior to the public hearing. A public notice of such hearing shall, at least 30 days prior to the public hearing, be published in a newspaper of general circulation in the city and shall contain:

- (1) The legal description of the subject property and the street address, if any. Absent a street address, a clear and adequate description of the subject property's location in the city;
- (2) A brief description of the nature of the application or action to be considered;
- (3) The date, time, and place of the public hearing; and
- (4) The written notice to franchise holders and others the city determines to have interest in use of the property granted by legislative action shall also include a map showing:
  - a. The location of the subject property with respect to surrounding lots;
  - b. Abutting streets;
  - c. Railroads; and
  - d. Waterways;

as applicable and necessary to convey clear and adequate understanding of the subject property's location.

(c) *Review.* Upon compliance with all application requirements, the request for closing shall be reviewed by city staff and forwarded with a recommendation to the city council.

(d) *Procedure.* Each public hearing shall be preceded by a report from city staff concerning the general nature of the application and specific information as necessary to explain relevant conditions, requirements, findings or historical background.

(e) *Approval.* Upon satisfaction the required notice has been given, the city council shall hold a public hearing and approve or deny the proposed closing.

(f) *Reopen a public way or easement.* The city shall retain the absolute right to reopen the public way or easement without expense to the city. The public way or easement may be reopened by ordinance when:

- (1) The city council deems it necessary; or
- (2) An application of the property owners owning more than one-half in area of the property abutting on the public way or easement previously closed is filed with the city council

(g) *Temporary closing:* The City Manager shall establish an application process and form for the temporary closing of streets, and sidewalks for safety reasons, construction or events.

**SECTION 2:** That the Stillwater City Code, Chapter 23, Land Development Code, Section 23.96 be amended to read as follows:

**Sec. 23-96 Definitions.**

.. (no changes)

*Personal and laundry services* means establishments engaged in providing personal and laundry services such as health and beauty parlors, massage parlors, ~~and dry-cleaning,~~ and pet grooming (not boarding and/or training).

*Personal storage and warehousing* means facilities providing indoor personal storage and warehousing, ~~whether by providing separate storage units/compartments or a~~

common structure with separate storage areas, and as an accessory to such use, outdoor storage of personal vehicles, recreational vehicles and watercraft displaying current and valid registration, provided, such outdoor storage does not occupy an area larger than 30% of the indoor floor area provided for the primary use.

...(no changes)

**SECTION 3:** That the Stillwater City Code, Chapter 23, Land Development Code, Section 23.140 be amended to read as follows:

**Sec. 23-140. RMH Residential Mobile Home District.**

(a) *Permitted by right* The following uses will be permitted by right in the RMH Residential Mobile Home District:

- (1) Mobile Home.
- ~~(2) Recreational vehicles until March 30, 2011, provided such occupancy meets the requirements set forth in sections 23-114 and 23-115.~~

... (no changes to remainder of section)

**SECTION 4:** That the Stillwater City Code, Chapter 23, Land Development Code, Section 23.150 be amended to read as follows:

**Sec. 23-150. O Office District.**

(a) *Permitted uses.* The following uses will be permitted by right in the O Office District.

- (1) Child and Adult Care Services
- (2) Churches and Religious Institutions
- (3) Educational Services
- (4) Financial Institutions and Services
- (5) Free-Standing Self Service Facilities
- (6) Health Care and Social Assistance
- (7) Mixed Use
- (8) Professional and Administrative Office and Services
- (9) Public Administration and Service

... (no changes to remainder of section)

**SECTION 5:** That the Stillwater City Code, Chapter 23, Land Development Code, Section 23.152 be amended to read as follows:

**Sec. 23-152. CB Commercial Business District.**

(a) *Permitted by right.* The following uses will be permitted by right in the CB Commercial Business District.

- (1) Arts and entertainment
- (2) Bed and breakfast, hotel, motel
- (3) Beverage services
- (4) Boarding houses/rooming houses
- (5) Education services
- (6) Financial institutions and services
- (7) Food services

- (8) Freestanding self-service facilities
- (9) Multifamily
- (10) Mixed use
- (11) Parking lots/garages
- (12) Personal and laundry service
- (13) Professional and administrative office and services
- (14) Public administration and service
- (15) Recreation
- (16) Retail trade
- (17) Townhome
- (18) Unit (condominium) ownership

(b) Specific use permit. The following uses are permitted by specific use permit in the CB district:

- (1) Information.
- ~~(2) Parking lots/garages~~

... (no changes to remainder of section)

**SECTION 6:** That the Stillwater City Code, Chapter 23, Land Development Code, Section 23.153 be amended to read as follows:

**Sec. 23-153. CG Commercial General District.**

(a) *Permitted by right.* The following uses will be permitted by right in the CB Commercial Business District.

- (1) Arts and Entertainment
- (2) Bed & Breakfast, Hotel, Motel
- (3) Beverage Services
- (4) Churches and Religious Institutions
- (5) Financial Institutions and Services
- (6) Food Services
- (7) Free-Standing Self Service Facilities
- (8) Health care and social assistance
- (9) Information
- (10) Parking Lots/Garages
- (11) Personal & Laundry Services
- (12) Personal Storage and Warehousing
- (13) Professional and Administrative Office and Services
- (14) Recreation
- (15) Research and Development
- (16) Retail Trade
- (17) Transportation Activities
- (18) Utilities
- (19) Vehicle and Equipment Sales and Service
- (20) Wholesale Trade

... (no changes to remainder of section)

**SECTION 7:** That the Stillwater City Code, Chapter 23, Land Development Code, Section 23.160 be amended to read as follows:

**Sec. 23-160. IL light Industrial District.**

... (no changes)

(d) *Bulk Regulations.* Bulk regulation requirements in the IL district are as follows:

- (1) The maximum structure height as measured from the finished floor elevation of the first floor to the highest point of the roof: No maximum limit

(2) Setbacks. The following are the minimum required setbacks:

- a. Minimum Front Yard: 25 feet on all property boundaries abutting a right-of-way or road/access easement.
- b. Minimum Side Yard: When a side yard has a common boundary with property in a:
  1. *Residential district*. the minimum setback is 30 feet.
  2. *Commercial district*. the minimum setback is 15 feet.
  3. *Industrial district*: the minimum setback is five feet.
- c. Minimum rear yard:
  1. When a rear yard has a common boundary with property in any residential district, the minimum setback is ~~five~~ 50 feet.
  2. When a rear yard has a common boundary with property in any district except for a residential district, the minimum setback is 25 feet.

(3) Maximum Lot Coverage: No maximum limit to lot coverage is established in the IL district.

... (no changes to remainder of section)

**SECTION 8:** That the Stillwater City Code, Chapter 23, Land Development Code, Section 23.185 be amended to read as follows:

**Sec. 23-185. Definitions.**

... (no changes)

*Banner sign* means a sign composed of a strip of fabric or other lightweight material secured or mounted on the wall of a building, a portion of a permanent sign structure, or land with two mounting ~~permanent~~ posts which is temporary in nature.

... (no changes)

Grade means, for the purposes of ~~this Article VI~~, the lowest point of elevation of the graded surface of the ground, paving or sidewalk within an area with a 20-foot radius measured from the base of the sign, in all directions.

... (no changes to remainder of section)

**SECTION 9:** That the Stillwater City Code, Chapter 23, Land Development Code, Section 23.211 be amended to read as follows:

**Sec. 23-211. Design standards.**

All parking areas and associated driving aisles shall be designed and constructed in accordance with the following standards:

(1) *Perimeter requirements*. The relationship of off-street parking and loading areas with adjoining uses and properties shall be regulated as follows:

- a. No off-street parking or loading spaces or required visual screening on private property may be located within a corner sight triangle at a street intersection or in the public right-of-way, except that passenger loading areas adjacent to a street may be located in the public right-of-way upon consent of the city.

- b. No off-street parking shall be designed to permit a parked vehicle to obstruct the corner sight triangle at any intersection of a driveway with a street.
- c. No off-street parking shall be designed so that vehicles will be backing out of said off-street parking onto an arterial street.
- d. Parking areas shall be designed with adequate turnaround areas for vehicles.
- e. Off-street parking spaces in the single-family and two-family residential districts serving uses other than single- or two-family dwellings shall not be located within the required front yard.
- f. All parking areas containing more than six spaces within or adjacent to any residential district shall be set back to provide a ten-foot buffer strip along any front property line. All unenclosed parking areas otherwise located shall be set back to provide a five-foot buffer strip along any front property line. Unenclosed parking areas containing more than six spaces in any district shall also be set back a minimum of two feet from all other property lines except that no such buffer strip is required where the abutting property is in the CB, IL, or IG districts.
- g. Unenclosed parking lots containing more than six spaces serving a residential use, and all other unenclosed off-street parking areas serving nonresidential uses in any district abutting property in an RS or RT districts shall be screened in accordance with the provisions in article VI, division 5, of this chapter.
- h. Off-street space required or provided for the loading of equipment or materials may occupy all or part of any required yard provided that any such loading space or berth located within 50 feet of any residential district shall be entirely within a completely enclosed building, or enclosed on all sides abutting the residential district by visual screening not less than six feet in height.

(2) *Surfacing.* All existing and new parking and loading areas and drives shall be paved in accordance with city standards. All single-family residential uses shall have concrete or asphalt approaches from the street curbline to the property line. On lots greater than one acre, the remaining driveway may be graveled or hard-surfaced. All other uses shall have concrete or asphalt approaches from the street curbline to the property line and the remaining driving aisles, access, parking areas, loading areas shall be either concrete or asphalt. Unless otherwise specifically required, areas used for the storage or parking of equipment or vehicles not for sale or lease, and which remain on the premises on a long-term basis, may be paved or landscaped with gravel and so maintained to eliminate blowing dust and erosion.

(3) *Access.* Each required or provided off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space in accordance with the standards of this article. Off-street loading spaces not abutting a public street or alley shall be provided an access drive of at least 12 feet in width. Curb cuts on public streets shall be designed, approved and constructed in accordance with this Code or city standards.

(4) *Lighting.* Lights provided to illuminate any parking facility or paved area shall be designed and arranged to reflect away from, and to minimize interference with, any residential use or traffic on a public street. The use of shields may be required based upon proximity to residential uses.

(5) *Motor vehicle parking and loading specifications.* Motor vehicle parking spaces shall be arranged and marked so as to provide for orderly and safe parking in accordance with the applicable specifications contained in this article. Safety barriers, wheel guards, or curbing shall be provided to ensure vehicle security, pedestrian safety, efficient utilization, protection to landscaping, and prevention of encroachment of vehicles beyond any property line. The dimensions and layout of parking and loading spaces shall conform to the following minimum standards.

(6) *Standard parking.* Parking areas for full size vehicles shall be subject to the following minimum requirements set forth in table 4.1:

TABLE 4.1. STANDARD PARKING SPECIFICATIONS

Parking Angle (degrees)	Stall Width (feet)	Aisle Length Per Stall (feet)	Depth of Stall Perpendicular to Aisle (feet)	Aisle Width (feet)	
				One-Way	Two-Way
0 (parallel)	8.0	23.0	8.0*	12.0	24.0
30	9.0	18.0	18.0*	11.0	22.0
45	9.0	12.7	20.5*;19.0**	13.0	22.0
60	9.0	10.4	22.0*;20.0**	18.0	23.0
90	9.0	9.0	20.0*;18.0**	24.0	24.0

\*With no overhang      \*\*With overhang

(7) Handicapped parking. Handicapped parking shall comply with 28 CFR Part 36, Appendix A, Standard for Accessible Design, as amended or revised, or any successor regulation, as approved by USDOJ for enforcement. (Reference Parking and Passenger Loading Zones).

(8) Vehicle loading. Each off-street loading space or berth for commercial delivery vehicles shall be not less than ten (10) feet in width, thirty-five (35) feet in length exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fourteen (14) feet.

(9) Bicycle parking specifications. All bicycle facilities shall be subject to the following requirements:

(a) The parking facility shall include provision for storage and locking of bicycles such that the frame and wheels may be secured to a permanently anchored rack or locked by a chain, cable, or padlock. Fixed objects which are intended to serve as bicycle racks but not obviously appearing as such shall be clearly labeled as available for bicycles.

(b) Bicycle parking facilities should be at least as convenient as the most convenient car parking, and located as close to the desired entrances as possible without interfering with pedestrian circulation. The required bicycle parking spaces for adjacent individual uses may be grouped, provided that no building or use served by the bicycle parking area shall be located at a distance greater than three hundred (300) feet from the bicycle parking area.

(c) If possible, bicycle parking areas shall utilize already existing weather-protected areas such as under building overhangs, and shall be surfaced with asphalt, concrete, pavers, or an equivalent as approved by the City.

**SECTION 10:** That the Stillwater City Code, Chapter 23, Land Development Code, Section 23.356 be amended to read as follows:

**Sec. 23-356. Sidewalks.**

(a) *Required on both sides of the street.* Sidewalks shall be required on both sides of all arterial and collector four lane and arterial two lane streets except as provided herein. Sidewalks shall only be required on one side of all other streets as set forth herein. All sidewalks shall be constructed in accordance with applicable standard specifications of the City.

(b) *Not required.* A sidewalk shall not be required:

- (1) On collector or local streets in those areas zoned and used for industrial purposes;
- (2) In any subdivision wherein the minimum lot size is 20,000 square feet; or
- (3) Whenever a cul-de-sac is shorter than 500 feet in length.

Any request for relief from the requirements set forth in this section shall be through an application for a variance to the Board of Adjustment. The criteria for granting a

variance herein shall be the same as set forth in 11 O.S. §44-107. Denial of a request for relief under this section by the Board of Adjustment shall be immediately appealable to the district court of the county in accordance with Section ~~23-20~~ 23-69.

... ( no changes to remainder of section)

**SECTION 11:** That the Stillwater City Code, Chapter 23, Land Development Code, Section 23.435 Comprehensive Zoning Use Table be repealed in its entirety and replaced with the attached COMPREHENSIVE ZONING TABLE.

PASSED, APPROVED AND ADOPTED THIS 17th DAY OF SEPTEMBER, 2012.

\_\_\_\_\_  
JOHN W. BARTLEY, MAYOR

(SEAL)  
ATTEST:

\_\_\_\_\_  
MARCY ALEXANDER, CITY CLERK

APPROVED AS TO FORM AND LEGALITY, THIS 17TH DAY OF SEPTEMBER, 2012.

\_\_\_\_\_  
JOHN E. DORMAN, CITY ATTORNEY

1ST READING: 9-6-12  
2ND READING: 9-17-12

**COMPREHENSIVE ZONING TABLE**

**P = permitted by right; S = specific use permit required**

<b>Uses</b>	<b>RSL</b>	<b>RSS</b>	<b>RT</b>	<b>RM</b>	<b>RMH</b>	<b>O</b>	<b>CS</b>	<b>CB</b>	<b>CG</b>	<b>IL</b>	<b>IG</b>	<b>A</b>	
Accommodation (bed and breakfast only in RSS and RSL)	S	S		S		S	P	P	P	P			
Agriculture, Forestry, Fishing and Hunting												P	
Animal and Pet Keeping Services									S		P	P	
Arts and Entertainment								P	P				
Bed and breakfast/hotel/motel						S	P	P	P				
Beverage Services						S	P	P	P	P			
Boarding house/Rooming house	S			P				P					
Chemical Manufacturing											S		
Child and Adult Care Services	S	S	S	S	S	P	S		S	S			
Churches and Religious Institutions	S	S	S	P		P			P				
Computer and Electronic Product Manufacturing and Electrical Equipment, Appliance, and Component Manufacturing									S	P			
Construction							S		S	P	P		
Conventional single-family detached or zero lot line	P	P	P	S	S							P	
Educational Services	S	S	S	S		P	P	P				S	
Financial Institutions and Services						P	P	P	P				
Food, Beverage, and Tobacco Product Manufacturing									S	P			
Food Services						S	P	P	P	P			
Free-Standing Self-Service Facilities				P		P	P	P	P	P			
Furniture and Related Product Manufacturing										S			
Health Care and Social Assistance				S		P	S		P				
Information						S	P	S	P	P			
Leather and Allied Product Manufacturing										S			
Machinery Part Manufacturing											P		
Manufactured Home												P	
Mining											S	S	
Mixed Use				S		P	P	P	S				
Modular Home	P	P	P	S	S							P	
Mobile Home					P							P	
Mobile Home Park									S			P	
Multi-Family				P			S	P					
NonMetallic Mineral Product Manufacturing											S		
Paper Manufacturing									S	S	P		
Parking Lot/Garage				P		S		P	P	P	P		
Personal and Laundry Services				S		S	P	P	P				
Personal Storage and Warehousing				S			P		P	P			
Petroleum and Coal Products Manufacturing											S		
Plastics and Rubber Products Manufacturing											P		
Primary Metal and Fabricated Metal Products Manufacturing											P		

Uses	RSL	RSS	RT	RM	RMH	O	CS	CB	CG	IL	IG	A	
Professional and Administrative Offices and Services						P	P	P	P				
Public Administration and Service						P	S	P	S	P	P	S	
Recreation						S		P	P			S	
Research and Development						S			P	P	P		
Residential Design Manufactured Home	P	P	P									P	
Retail Trade							P	P	P				
RV Park									S				
Telecommunications Tower				S					S		P	P	
Textile Mills, Textile Product Mills, and Apparel Manufacturing										S	S		
Townhome		S	S	P				P					
Transportation Activities							S		P	P	P		
Transportation and Equipment Manufacturing											P		
Two-Family			P	P									
Unit (condominium) ownership		P	P	P				P					
Utilities									P	P	P	P	
Vehicle/Equipment Sales, Rental, and Service							S		P	P			
Warehousing and Storage										P	P	S	
Waste Management and Remediation Services											P		
Wholesale Trade									P				
Wood Product Manufacturing										S	P		