

CHAPTER 2

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SECTION 200. ZONING AND SUPPLEMENTAL ZONING DISTRICTS ESTABLISHED

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

AG	Agriculture General District
AI	Agriculture Industrial District
AR	Agriculture Residential District
AO	Agriculture Open Space

RS60	Residential Single-Family Low Density District
RSTD60*	Residential Single-Family Doublewide Low Density Manufactured Home District
RSTS60*	Residential Single-Family Singlewide Low Density Manufactured Home District
RS40*	Residential Single-Family Low Medium Density District
RSTD40*	Residential Single-Family Doublewide Low Medium Density Manufactured Home District
RSTS40*	Residential Single-Family Singlewide Low Medium Density Manufactured Home District
RS30*	Residential Estate District
RS25	Residential Single-Family Medium Density District
RSTD25*	Residential Single-Family Doublewide Medium Density Manufactured Home District
RSTS25*	Residential Single-Family Singlewide Medium Density Manufactured Home District
RS20*	Residential Single-Family Medium Density District
RS10	Residential Single-Family High Medium Density District
RS6	Residential Single-Family High Density District
RST60*	Residential Single-Family Manufactured Home Low Density District
RST40*	Residential Single-Family Manufactured Home Low Medium Density District
RST30*	Residential Estate Manufactured Home District
RST25*	Residential Single-Family Manufactured Home Medium Density District
RST20*	Residential Single-Family Manufactured Home Medium Density District
RST10*	Residential Single-Family Manufactured Home High Medium Density District
RST6*	Residential Single-Family Manufactured Home High Density District
RM6	Residential Multi-Family Low Density District
RM4	Residential Multi-Family Low Medium Density District
RM2.5	Residential Multi-Family High Medium Density District
RM1.5	Residential Multi-Family High Density District
RT	Residential Manufactured Home Park
OL	Office Light District
OM	Office Medium District
OH	Office Heavy District
C1	Local Shopping District
C2	Community Shopping Center
C3	Central Commercial District
C4	Central Service District
C5	Highway Commercial District
SR	Scientific Research and Development District
I-1	Restricted Industrial District
I-2	Light Industrial District
I-3	Medium Industrial District
I-4	Heavy Industrial District

M Mining District

P Parking District

*Allowed only in unincorporated areas only.

F1 Flood Channel District

F2 Flood Plain District

PUD Planned Unit Development

SECTION 201. OFFICIAL ZONING MAP ESTABLISHED

Zoning District locations and their respective boundaries shall be delineated on the Official Zoning Map of the City of Claremore and Rogers County. The Official Map shall be on file in the Office of the Planning Commission. The Planning Commission Director shall be responsible for map maintenance. When necessary the Zoning Map may be divided into parts, and such parts may be used separately for reference or as needed.

SECTION 202. ZONING DISTRICT BOUNDARY DESCRIPTION AND INTERPRETATION

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

SECTION 203. LIMITATION ON LAND USE

- A. No person, firm or corporation shall use or permit to be used any land or buildings, nor shall any person, firm or corporation make, erect, demolish, construct, move, alter, enlarge or rebuild or permit the making, erection, construction, moving, altering, enlarging or rebuilding of any building, structure or improvement, which is designed, arranged or intended to be used or maintained for any purpose or in any manner except in accordance with the Regulations contained herein.B. Nothing in these Regulations shall be deemed to require a change in the plans, construction,

or designated use of any building, where a Building Permit has been lawfully issued prior to the effective date of these Regulations, and pursuant to such permit, construction is diligently carried to completion. Upon completion, such building or use shall be deemed nonconforming and may continue as regulated by Chapter 17, Nonconformities.

- C. At any time within one (1) year after the effective date of these Regulations, a Building Permit and/or Certificate of Occupancy may be issued or a use of land commenced in accordance with the terms and conditions of a Special Exception or Variance granted by the Board of Adjustment prior to the effective date of these Regulations.

SECTION 204. MINIMUM REQUIREMENTS

Under the provisions of these Regulations all standards (bulk and area requirements, rights-of-ways, etc.) are established as minimum requirements, unless otherwise stated.

SECTION 205. DIVISION OF LOTS

A lot shall not hereafter be divided into more than three (3) or more lots, unless all lots resulting from such division conform to all of the applicable regulations of the Zoning District in which located.

SECTION 206. SUBSTANDARD LOT OF RECORD

For regulations relative to a substandard lot of record see Section 1704, Nonconforming Lots.

SECTION 207. STREET FRONTAGE REQUIRED

- A. No lot shall contain any building used in whole or in part for residential purposes unless such lot has a minimum of 60 feet of frontage on a public street or dedicated right-of-way with a width of 50 feet.

- B. Exceptions to the above are allowed when the lot in question is:
 - 1. A substandard lot of record;
 - 2. A lot within an approved PUD Planned Unit Development; or
 - 3. A lot within an approved RT Manufactured Home Park Development.
- C. Alleys, where they exist, shall provide only a secondary means of access.

SECTION 208. ONE SINGLE-FAMILY DWELLING PER LOT OF RECORD

Not more than one (1) single-family dwelling or manufactured home dwelling may be constructed on a lot, except in the case of a lot which is within an approved Planned Unit Development or in an RT Residential Manufactured Home Park District.

SECTION 209. HEIGHT EXCEPTIONS

The following structures shall not be subject to the height limitations of the Zoning District in which they are located.

- A. Farm buildings and structures.
- B. Belfries, chimneys, cupolas, domes, elevators, penthouses, flagpoles, monitors, smokestacks, spires, cooling towers and ventilators, provided:
 - 1. They are not intended for human occupancy; or
 - 2. Do not include uses that are not permitted by Right.
- C. Any building may exceed the height limits set forth in the District provisions provided that the portions of the building whose height exceeds such limits shall be set back in accordance with the pertinent tables of the Zoning District provisions. Such setbacks shall be measured from lines parallel to and inside the side lot lines and the rear lot line and distant therefrom the width of the narrowest required side yard for such building.

SECTION 210. LOT AREA AND WIDTH EXCEPTIONS

The lot area and width requirements of the Zoning District shall not apply to uses, other than fire protection and ambulance services uses, included within Section 1504 Use Unit 4, Public Protection and Utility Facilities.

SECTION 211. YARDS

A. Compliance with Yard Requirements

1. Open space or lot area required for an existing building or structure shall not be counted as open space for any other building or structure.
2. Land area used in computing permitted floor area for one building shall not be used in computing permitted floor area for any other building.
3. On any corner lot where a front and side yard is required, no wall, fence, sign, parking area, structure or any plant growth shall be maintained which obstructs the line of sight through the Sight Distance Triangle. (See Section 212 and Figure 2-1).

B. Permitted Obstructions in Required Yards

Except as provided in the following section, required yards shall be open and unobstructed from the ground to the sky. Obstructions are permitted in required yards as follows:

1. Cornices, canopies, eaves, fireplaces, and similar architectural features may project not more than two (2) feet into a required yard.
2. Fire escapes may project not more than five (5) feet into a required yard.
3. Fences, plant materials, berms, walls, and permitted signs may be located in any yard, provided they are constructed and maintained in accordance with the following guidelines:
 - a. On any corner lot none of the aforementioned materials may be maintained or constructed in such a manner as to obstruct the line of sight through the Sight Distance Triangle. (See Section 212 and Figure 2-1).

- b. No fence or wall that projects into or encloses a required front yard is permitted to exceed four (4) feet in height.
 - c. Screening fences and walls within yards shall not exceed a height of eight (8) feet.
 - d. The Board of Adjustment, as a Special Exception, may modify these limitations.
4. Signs which are permitted as accessory uses in Residential Districts may be located within any yard which is bounded by a public street (See Chapter 11, Signs).
5. Accessory Buildings
 - a. No accessory buildings shall be constructed upon a lot until the construction of the main building has been actually commenced, and no accessory building shall be used unless construction of the main building on the lot has been completed.
 - b. If on a permanent foundation the accessory building shall conform to all setback regulations. (See also Sections 302, 402, 502, 602, 702, 802 and 1002).
 - c. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, shall have a common wall therewith, shall comply in all respects with the requirements of these and other regulations applicable to principal buildings, and shall not cover more than 30% of the rear yard residential structure, whichever is greater, unless granted a Special Exception by the Board of Adjustment.
6. Swimming pools, tennis courts, and storm shelters shall:
 - a. Be located in the rear yard;
 - b. Have a minimum setback of ten (10) feet from any side or rear lot line.
 - c. Not be placed on or within an easement.
7. Residential manufactured home hitches up to a maximum of four (4) feet.

SECTION 211

8. Customary accessory structures, such as clotheslines, barbecue pits, playground equipment.
9. Accessory Antennas and Antenna Supporting Structures and guy lines may be located in the required rear yard. (See Section 219).

C. Use of Yards in AR or R Districts

1. No inoperative or unlicensed automobiles, nor inoperative trailers, or other types of vehicles of any kind shall be parked or stored on any residentially zoned property other than as follows:
 - a. In a completely enclosed building;
 - b. On a hard surface area completely enclosed by an eight (8) foot screening wall or fence.
 - c. Storage of such vehicles shall not exceed the height of the required screening wall or fence.
 - d. For regulations pertaining to recreational vehicles see Section 402.
2. Vehicles stored shall not be used for salvage or parts and the storage of said vehicles shall be for no more than a two (2) year period. The permitted use in this case shall be for the general purpose of restoration for personal or family use and in no case for any commercial purpose.

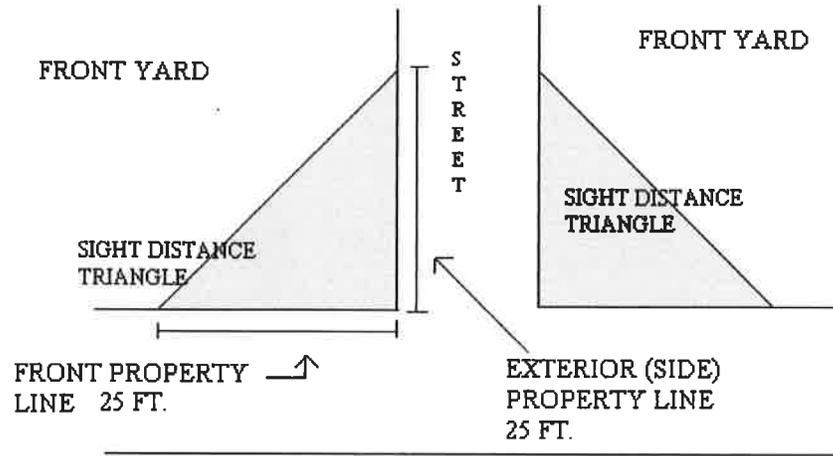
- D. In Rogers County only, all yards within a platted subdivision must be mowed, and maintained free of debris. Any grass over twelve inches tall is considered a violation.

SECTION 212. SIGHT DISTANCE TRIANGLE

A Sight Distance Triangle (See Figure 2-1) is established on all corner lots as follows:

- A. Measure from the point of intersection of the front and exterior (side) lot line a distance of 25 feet along each lot line then connect the points to establish a right triangle on the area of the lot adjacent to the street intersection.
- B. This triangle shall be established at elevations between two (2) feet six (6) inches and ten (10) feet above any portion of the crown of the adjacent roadway.

FIGURE 2-1: SIGHT DISTANCE TRIANGLE



1. AT THE PROPERTY LINE, MEASURE A DISTANCE OF 25 FT. FROM THE POINT OF INTERSECTION OF THE FRONT AND EXTERIOR (SIDE) LOT LINES.
2. THEN CONNECT THESE LINES TO ESTABLISH A RIGHT TRIANGLE ON THE AREA OF THE LOT ADJACENT TO THE INTERSECTION

SECTION 213. STRUCTURE SETBACK FROM ABUTTING STREETS

The structure setback from abutting streets shall be as provided for each Zoning District. However, every structure shall be set back from the centerline of an abutting street a horizontal distance of not less than one half (1/2) of the right-of-way designated on the Major Street Plan or 25 feet if the abutting street is not designated on said Plan.

SECTION 214. EXISTING BUILDING ENCROACHMENT ON FRONT YARDS OR BUILDING SETBACKS

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

- A. If the proposed building is located more than 200 feet from an encroaching building, the proposed building shall conform to the front yard or setback established for the Zoning District in which the proposed building is to be located.
- B. If the proposed building is to be located between adjacent buildings which conform to the required front yard or building setback, or between a conforming building and an intersecting street, the proposed building shall conform to the front yard or setback established for the District in which the proposed building is to be located.
- C. If the proposed building is to be located within 200 feet of encroaching buildings on both sides and there are no intervening buildings, the front yard or building setback shall be the average of the front yard or setback of the two (2) nearest front corners of the encroaching buildings.
- D. If the proposed building is to be located within 200 feet of an encroaching building on one side, but not both sides, and there are no intervening buildings, the front yard or building setback shall be the average of the otherwise required front yard or setback and the setback of the nearest front corner of the encroaching building.
- E. Provided, however, that in the application of "C" or "D" above, the front yard or building setback shall not be reduced to less than five (5) feet plus one-half (1/2) of the right-of-way width designated on the Major Street Plan for the abutting street, or five (5) feet plus 25 feet if the street is not designated on the Major Street Plan.

SECTION 215. PROHIBITION OF RESIDENTIAL DISTRICTS USED AS MEANS OF ACCESS

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

SECTION 216. SCREENING WALL OR SCREENING FENCE

A. For the purpose of maintaining a compatible relationship between certain land uses, a screening requirement is hereby established as follows:

1. Where required, the screening wall or fence shall be opaque and be constructed prior to the initiation or continuance of particular use.
2. For requirements pertaining to construction and placement of a required screening wall or fence, see Chapter 15, Use Units.

B. Specifications

When the provisions of these Regulations require the construction of a screening wall or fence as a condition for the initiation of the use and/or the subsequent continuation of a use, the screening wall or fence shall be opaque and adhere to the following Regulations:

1. Shall be constructed of fencing materials commonly used, and shall be designed and arranged to provide visual separation of uses irrespective of vegetation.
2. Shall not be less than six (6) feet in height, nor taller than eight (8) feet.
3. Shall be constructed with all braces and supports toward the interior of the lot, except when both sides are of the same design and appearance.
4. Shall be constructed prior to the granting of a Certificate of Occupancy for the building or initiation of the use required to be screened.
5. Shall be uniform in height, except for significant changes in topography.
6. Shall have a consistency of design.
7. Shall not be a chain link fence or a chain link fence that utilizes inserts of metal or other materials.
8. Shall be of a type of material compatible with the surrounding area.
9. Shall be designed and constructed in such a way as not to adversely affect the natural drainage of the surrounding uses.

10. For Use Unit 30, Junk and Salvage Yards, see Section 1530 for screening requirements.

C. Maintenance

The screening wall or fence shall be maintained by the owner of the lot containing the use required to construct the screening wall or fence. Failure to maintain after notice by the Building Inspector shall constitute a violation of this Ordinance.

D. Modification of the Screening Wall or Screening Fence Requirements

The Board of Adjustment, upon approval of a Special Exception may:

1. Modify or remove the screening requirement where existing physical features provide visual separation of uses.
2. Modify the screening requirement where an alternative screening will provide visual separation of uses.
3. Grant an extension of time to erect a screen where properties which are to be benefited by the screen are undeveloped.
4. Remove the screening requirement where the purposes of the screening requirement cannot be achieved or is prohibited by other ordinances and/or regulations.

D. Enclosure of Uses

1. Except as otherwise provided herein, no raw materials, waste materials, products, goods, machinery or equipment shall be stored, displayed, operated or processed out-of-doors within 200 feet of a major street or highway or within 200 feet of any property in an AR, R, P, O, C-1, or I-1 District even though such activities may be permitted uses in such Districts, unless such materials or articles are so screened as not to be visible to an observer driving on such street or highway or standing on the ground in such District.
2. The requirements in Section D.1 above shall not apply to the following:
 - a. Animals;
 - b. Boats;
 - c. Construction equipment in use on construction projects;

- d. Electric substations or similar facility, unless required by the Board of Adjustment;
- e. Farm and garden equipment in use in fields and gardens;
- f. Gasoline pumps and similar service station equipment customarily not enclosed;
- g. Household articles customarily stored or used out-of-doors;
- h. Monuments and tombstones;
- i. Motor vehicles;
- j. Oil derricks or pumps and similar equipment at oil wells;
- k. Pressure regulator station or similar facility unless otherwise required by the Board of Adjustment;
- l. Living plants, including trees and shrubs;
- m. Signs;
- n. Sports, play, and similar equipment customarily used outdoors;
- o. Structures attached to the ground or a building;
- p. Transit vehicles;
- q. Transportation equipment in operation of goods being transported;
- r. Trucks and trailers; or
- s. Utility facilities Not Elsewhere Classified (NEC).

SECTION 217. PLATTING REQUIREMENT

- A. A platting requirement is hereby established for the purpose of providing for a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities, and access of emergency vehicles which result from an intensification of land use customarily incident to a change of zoning. The platting of land, as set forth in the Subdivision Regulations, shall be required in the following instances:

1. For any land which has been rezoned to a zoning classification other than AG upon application of a private party.
 2. For any land which has been granted a Special Exception by the Board of Adjustment as listed in:
 - a. Use Unit 2, Area-wide Exception Uses;
 - b. Use Unit 4, Public Protection and Utility Facilities;
 - c. Use Unit 8, Multifamily and Similar Uses; or
 - d. Use Unit 21, Commercial Recreation, Intensive.
- B. No Building Permit or Certificate of Occupancy shall be issued on the above designated properties until that portion of the tract on which the Permit or Certificate is sought has been included within a subdivision plat or replat.
- C. The plat or replat shall be submitted to the City of Claremore-Rogers County Metropolitan Area Planning Commission for consideration and approval. The plat shall be in the form as required by the Subdivision Regulations and shall follow the approval process as required therein. Upon final approval the plat or replat shall be filed of record in the office of the Rogers County Clerk.
- D. The City Council or Board of County Commissioners, upon recommendation of the Planning Commission, may waive the platting requirement upon a determination that the above stated purposes have been achieved by previous platting or could not be achieved by a plat or replat.

SECTION 218. MAJOR STREET PLAN

"The Major Street and Highway Plan," an element of the Comprehensive Plan, shall subsequently be referred to as "The Major Street Plan". (See Appendix C, Major Street and Highway Plan).

SECTION 219. ANTENNA AND ANTENNA SUPPORT STRUCTURES

A. Principal Use Antenna

1. Antenna and Antenna Supporting Structures which are principal uses in an AG, or I District are regulated by Section 1504 of these Regulations and the provisions of the respective Zoning Districts.
2. Antenna and Antenna Supporting Structures which are principal uses in I Districts may be permitted by Right and are regulated by Section 804 of these Regulations.

B. Accessory Use Antenna

Antenna and Antenna Supporting Structures which are accessory uses are regulated by Section 302 (AG Districts), Section 402 (R Districts), Section 502 (O Districts), Section 602 (C Districts), Section 702 (SR District), and Section 802 (I Districts) of these Regulations.

C. Setbacks from R Districts

1. Antenna and Antenna Supporting Structures which are accessory or principal uses permitted in the Agricultural, Office, Commercial, Scientific Research or Industrial District shall be setback from an R District boundary line 110% of the height of the Antenna and Antenna Supporting Structure, as measured at grade.
2. The setback distance shall be measured from the nearest point of a Residential District boundary line, excluding freeways zoned Residential.

SECTION 220. NUISANCES REGULATED

Fences, plant materials, berms, walls and signs shall not be located in such a manner as to constitute a nuisance as provided in the code of ordinances or regulations of the City of Claremore or Rogers County.

SECTION 221. STROBE LIGHTS AND ROTATING BEACONS PROHIBITED

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

SECTION 222. NON-COMMERCIAL SIGNS

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

SECTION 223. PARKING OF MOTORIZED VEHICLES

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

SECTION 224. WILD OR EXOTIC ANIMALS

- A. Keeping or Raising of Wild or Exotic Animals in the AG District
 - 1. The keeping or raising of wild or exotic animal as defined in these Regulations, is permitted only in an AG Agriculture District and only as a business with Board of Adjustment approval as a Special Exception.
 - 2. New businesses shall meet the requirements set out in Section 303, Requirements for a Special Exception Uses.
 - 3. In addition to a Special Exception, it is required that all other requirements, permits, codes or ordinances be complied with.

4. Existing businesses must hold a valid Commercial Breeder's License issued by the Oklahoma Department of Wildlife or the United State Department of Agriculture permitting the operation of existing business and shall apply for and obtain a Certificate of Occupancy within 90 days from the effective date of these Regulations.

B. Certificate of Occupancy

1. A Certificate of Occupancy for any such existing business or any such new business shall be issued by the Building Inspector, after an on-site inspection to determine that:
 - a. The facilities conform to the application for a Special Exception as approved by the Board of Adjustment in the case of a new business;
 - b. The areas are appropriate for the keeping and raising of the animals in a confined manner, and adequate for the protection of the public health, safety and welfare.
2. Such Certificate of Occupancy shall permit the operation of the business only for so long as the operator maintains a valid Commercial Breeder's License issued by the Oklahoma Department of Wildlife or the United States Department of Agriculture permitting the operation of such new or existing business.
3. The Building Inspector shall solicit, as needed, the aid of qualified professionals in the field to inspect the facilities before issuing the required Certificate.

C. Not Permitted in any other Zoning District

The keeping or raising of wild or exotic animals for any reason is prohibited in all other Zoning Districts, except for a zoo, circus or carnival, as otherwise authorized by these Regulations.

SECTION 225. KEEPING OF ANIMALS AND ANIMAL HOSPITALS

The keeping of animals, other than wild or exotic animals as regulated in Section 224, shall be subject to the following provisions:

- A. The following uses, where permitted, shall be conducted no nearer than 50 feet to the boundary of an R, P or O District or to a dwelling on the same premises: animal hospital serving household pets and similar small animals; breeding, raising, or

boarding of household pets and similar small animals for commercial purposes:
kennel; egg farm.

- B. The following uses, where permitted, shall be conducted no nearer than 100 feet to the boundary of an AR, R, P, or O District or to a dwelling on the same premises: animal hospital serving livestock and similar animals; apiary; boarding or training of horses; dairy farm; poultry farm; farm for raising cattle, goats, horses, sheep, rabbits, or poultry.
- C. The following uses, where permitted, shall be conducted no nearer that 200 feet to the boundary of an AR, R, P or O District: hog raising; livestock assembly; breeding, feeding, sales, or shipment; stockyard.
- D. Animal hospitals located within 500 feet of an AR, R, P or O District shall be constructed and operated as follows:
 - 1. so that sounds therefrom are not audible in such District;
 - 2. All runs shall be surfaced with an impervious material and shall be enclosed by a solid, eight (8) foot wall; and
 - 3. No burning of refuse or dead animals shall be permitted and all drainage shall be away from adjoining properties.
- E. Within unincorporated areas, boarding, raising or training of large animals in R Zoned Districts is allowed only under all of these conditions:
 - 1. Lot area of 60,000 square feet or more.

