

ZONING ORDINANCE



AMENDED 1998

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ARTICLE 1

CITATION, PURPOSE, INTERPRETATION AND APPLICATION OF ZONING ORDINANCE

SECTION 1

CITATION

1.1 This Ordinance, in pursuance of the authority granted by the Legislature of the State of Oklahoma in Title 11, Chapter 7, Sections 401-410 of the Oklahoma Statutes, shall be known as the "Zoning Ordinance of the City of Guymon" and shall be cited as such.

SECTION 2

PURPOSE

2.1 This Ordinance is enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Guymon, Oklahoma; and to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate provision of adequate facilities for transportation, water, sewage, schools, parks, and the public requirements; and promote a more homogeneous relationship of land use within the incorporated limits of the City; to protect property values; and to regulate the use of the land and to promote the orderly development of the community in accordance with the Comprehensive Plan as adopted by the Planning Commission and approved by the City Council; and all other accepted purpose of zoning.

SECTION 3

INTERPRETATION AND APPLICATION

3.1 As concerns interpretation and application, the provisions of this ordinance shall be held to be minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other provision of law or by other rules or regulations or ordinance, the provisions of this Ordinance shall control.

ARTICLE 2

ESTABLISHMENT OF DISTRICTS

SECTION I

ZONING DISTRICTS

1.1 For the purpose of this Ordinance and the promotion of public health, safety, and general welfare of the community, the following districts are hereby established for the City of Guymon.

Residential Districts

- A-1 Agricultural District
- R-1 Single-Family Residential District
- R-2 General Residential District
- R-3 Special Residential District
- M-1 Mobile Home Subdivision
- M-2 Mobile Home Park

Commercial Districts

- C-1 Convenience Commercial District
- C-2 Highway Commercial and Commercial Recreation District
- C-3 General Commercial District

Industrial Districts

- I-1 Light Industrial District
- I-2 Heavy Industrial District

Public Use District

- P-1 Public Use District

Suburban Office District

- SOD Suburban Office District

Planning Unit Development

- PUD Planning Unit Development

1.2 As Districts are designated, they shall be bounded and defined as shown on a map entitled "Zoning Map of the City of Guymon, County of Texas, State of Oklahoma". The Zoning Map, and all of the explanatory material thereon, is hereby made a part of this Ordinance.

1.3 In the event of uncertainty in the exact boundaries of any of the aforesaid districts as shown on the "Zoning Map of the City of Guymon, County of Texas, State of Oklahoma", the Planning Commission, upon written application or upon its own motion, shall recommend the location of such boundaries to the Board of Adjustment and the Board of Adjustment shall make the final determination.

ARTICLE 3

DEFINITIONS

SECTION 1

INTERPRETATION OF WORDS AND TERMS

Unless otherwise stipulated or required, the following definitions shall be used in the interpretation and construction of the Ordinance, and words used in the present tense include the future; the singular shall include the plural, and the plural the singular; the word "building" shall mean as well the word "structure"; the word "used" shall include "arranged," "designed", "constructed", "altered", "converted", "rented", "leased", or "intended to be used", and the word "shall" is mandatory and not directory.

ACCESSORY OR AUXILIARY USE OR STRUCTURE: A use or structure customarily incidental, appropriate, and subordinate to the principal use of a building or to the principal use of land and which is located upon the same lot therewith.

ADVERTISING SIGN OR STRUCTURE: Any material or structure of any character whatsoever, placed for outdoor advertising purposes. The term "placed" shall include making visible in any manner whatsoever. The area of the advertising structure shall be determined as the area of the largest cross section of the structure. Neither directional, warning nor other signs posted by Public Officials in the course of their public duties shall be construed as advertising signs for the purpose of this Ordinance.

AGRICULTURE: The use of land for agricultural purposes including farming, dairying, pasturage, horticulture, animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage to swine or other animals, stockyards or commercial feed lots for cattle.

ALLEY: A minor right-of-way, dedicated to public use, not more than thirty (30) feet wide affording a secondary means of access to abutting property and not intended for general traffic circulation.

AUTOMOBILE OR TRAILER SALES AREA: An open area, other than a street, used for the display, sales or rental of new or used motor vehicles or trailers in operable condition where no repair work is done.

AUTOMOBILE REPAIR, MAJOR: General repair, rebuilding or recondition of engines, motor vehicles or trailers; collision services including body, frame, or fender straightening or repair; overall painting or paint shop; vehicle steam cleaning.

AUTOMOBILE REPAIR, MINOR: Incidental replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half (1-1/2) ton capacity.

AUTOMOBILE SERVICE STATION OR FILLING STATION: Any area used for retail sale of gasoline or oil fuels, or automobile accessories, and incidental services including facilities for lubricating, and washing and cleaning, but not including painting, major repair, or the sale of butane or propane fuels.

AUTOMOBILE WASH OR AUTOMATIC CAR WASH: A building or structure or chain conveyor, blowers, steam cleaners and other mechanical devices used primarily for the purpose of washing motor vehicles.

BASEMENT: A story wholly or partly underground. For purposes of height measurement a basement shall be counted as a story when more than one-half (1/2) of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.

BOARD OF COMMISSIONERS: Of Texas County, Oklahoma

BLOCK: In describing the boundaries of a district, the word "block" refers to the legal description. In all other cases, the word "block" refers to the property abutting on one side of the street between two (2) intersecting streets or a street and a railroad right-of-way or watercourse.

BOARDING HOUSE AND ROOMING HOUSE: Where meals or lodging are provided for persons other than the family or their relation excluding facilities for transient persons such as hotels, motels, inns and other such facilities.

BOARD OF ADJUSTMENT: The Board of Adjustment for the City of Guymon, Oklahoma, also referred to as the Board.

BUILDING: Any structure having a roof supported by columns or walls that is used or intended to be used for the shelter or enclosure of persons, animals, or property. When such a structure is divided into separate parts by one or more un-pierced walls extending from the ground up, each part is deemed a separate building, except as regards minimum side yard requirements as herein provided.

BUILDING ACCESSORY: The subordinate building, the use of which is customarily incidental to that of a principal building on the same lot.

BUILDING HEIGHT: The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or the decline of a mansard roof or the average height of the highest gable of a pitch or hip roof.

BUILDING LINE: A line established beyond which no part of a building shall project, except as otherwise provided by this Ordinance.

BUILDING, PRINCIPAL: A building or buildings in which the principal use of the building site is conducted. In any residential district any dwelling shall be deemed to be the principal building on the building site.

BULK LIMITATIONS (FLOOR AREA RATIO): The number of square feet of floor area as defined herein which is permitted for each square foot of lot area.

BULLETIN BOARD: Any board or sign erected for announcement purposes.

CELLAR: That portion of a building between floor and ceiling, partly underground, but having half or more than half its clear height below the adjoining finished grade.

CEMETERY: Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes.

CHIEF ADMINISTRATIVE OFFICER: The City Manager of Guymon, Oklahoma.

CHILDCARE CENTER: (Deleted by Ordinance No. 565, March 29, 1995)

CITY: The incorporated City of Guymon, Oklahoma.

CITY BUILDING INSPECTOR: The Building Inspector of the City of Guymon, Oklahoma.

CITY ENGINEER: The City Engineer of the City of Guymon, Oklahoma.

CITY PLANNING COMMISSION: Guymon Planning Commission, as established by the statutes hereinbefore cited, the City of Guymon, County of Texas, State of Oklahoma, also referred to as Commission.

CLINIC: A place used for the care, diagnosis and treatment of sick, ailing, infirm and injured persons and those in need of surgical or medical attention but who are not provided with board and room or kept overnight on the premises.

CLUB: A nonprofit association of persons who are bona fide members, paying regular dues, and organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.

COMPREHENSIVE PLAN: The official city plan of the City of Guymon, Oklahoma; and also refers to the specific document, the Comprehensive Plan of the City of Guymon, Oklahoma.

CONVALESCENT HOME: A convalescent home, a nursing home, or a rest home is a home for the aged, recuperating, chronically ill, or incurable persons, in which two (2) or more persons not of the immediate family are received, kept, or provided with food and shelter or care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of disease or injury.

COUNCIL: The City Council of Guymon, Oklahoma; and includes the use of the words Council and City Commission.

COVERAGE: The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.

DWELLING: Any building or portion thereof designed or used exclusively as a residence or sleeping place of one or more persons, but not including a tent, cabin, trailer coach, boarding or rooming house, hotel or motel.

DWELLING, SINGLE-FAMILY: A building designed for or used exclusively for residence purposes by one (1) family or housekeeping unit.

DWELLING, TWO-FAMILY: A building designed for or used exclusively by two (2) families or housekeeping units.

DWELLING, MULTI-FAMILY: A building or portion thereof designed for or used by three (3) or more families or housekeeping units.

DWELLING UNIT: One (1) or more rooms designed for or used by one (1) family.

ESSENTIAL SERVICES: The erection, construction, alteration or maintenance by public utility or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewer, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories thereof; reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the Public Health or Safety or General Welfare, but not including buildings.

EXCEPTION: A variance from the requirements of this Ordinance properly authorized by the Board of Adjustment.

FAMILY: A person living alone or two or more persons living together, related by blood or marriage, as a single housekeeping unit using a single facility for culinary purposes in a dwelling unit, as distinguished from a group occupying a boarding house, lodging house, hotel, motel, fraternity house, or sorority house.

FLOOR AREA: The sum of the gross horizontal areas of the several floors of a building or buildings measured from the exterior faces of the exterior walls or from the center lines of walls separating two buildings.

FRONTAGE: The width of a lot measured at right angles to the depth on the front or street side of the lot.

GARAGE APARTMENT: A dwelling for one (1) family erected as a part of a private garage.

GARAGE, PARKING: Any building or portion thereof used for the storage of four or more automobiles in which any servicing may be provided is incidental to the primary use for storage purposes, and where repair facilities are not provided.

GARAGE, PUBLIC: The structure or portion thereof, other than a private garage, used for the storage, sale, hire, care, repairing or refinishing of any vehicles.

GARAGE, PRIVATE: A detached accessory building or a portion of the principal building used or intended for use by the occupants of the premises for storage of passenger vehicles or trailers.

GARAGE, REPAIR: A building in, which is provided facilities for the care, servicing, repair, or equipping of automobiles.

HEIGHT: The vertical measurement of any building or structure on any parcel of land measured from the average elevation of the lot or parcel to the uppermost point of the structure or building.

HEIGHT LIMIT: The limit of height as imposed in this Ordinance for any structure or building or permitted use within the zoning district.

HOME OCCUPATION: Any occupation carried on solely by the inhabitants of a dwelling which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, which does not change the character thereof, and which is conducted entirely within the main or accessory building; provided that no trading and merchandising is carried on and in connection with which there is no display of merchandise or advertising sign other than one nonilluminated name plate, not more than two (2) square feet in area attached to the main or accessory building, and no mechanical equipment is used except such as is customary for purely domestic or household purposes. A tea room or restaurant, rest home or clinic, barber shop, doctor's or dentist's office, tourist home or cabinet shop, metal shop, or auto repair garage shall not be deemed a home occupation. (Amended by Ordinance 450, February 23, 1993)

HOSPITAL: A building or portion thereof used for the accommodation of sick, injured or infirm persons.

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

INDUSTRY: Storage, repair, manufacture, preparation or treatment of any article, substance, or any commodity for commercial use.

INSTITUTIONAL USES: Those uses organized, established, used or intended to be used for the promotion of a public, religious, educational, charitable, cultural, social, or philanthropic activity and normally operated on a nonprofit basis.

JUNK OR SALVAGE YARD: A place where waste, discarded or salvage materials are bought, sold, exchanged, bailed, packed, disassembled or handled, including all wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawn shops and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, or salvage material incidental to manufacturing operations.

KENNEL: Any structure or premises on which five (5) or more dogs over four (4) months of age are kept.

LOADING SPACE: An off-street space or berth on the same lot with the building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

LOT: A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, or utilized for a principal use and uses accessory thereto, together with such open spaces as required by this Ordinance, and having access on a public street.

LOT, CORNER: A lot which has at least two adjacent sides abutting on a street, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five degrees (135).

LOT, DEPTH: The mean horizontal distance between the front and rear lot lines.

LOT, DOUBLE FRONTAGE: A lot having a frontage on two (2) nonintersecting streets, as distinguished from a corner lot.

LOT, INTERIOR: lots other than a corner lot.

LOT, WEDGE SHAPED: A lot situated so that the front is either wider or narrower than the rear of the lot.

LOTS OF RECORD: Herein designated as a separate and distinct parcel on a legally recorded subdivision plat or a legally recorded deed filed in the Records of Texas County, State of Oklahoma.

MAXIMUM COVERAGE: The maximum amount of land that may be covered by buildings on any lot.

MEAN LOT ELEVATION: The average elevation of a lot.

MEDICAL FACILITIES:

- A. Nursing Home, Rest or Convalescent Home: A physical and mental recuperation center wherein persons are housed and are given meals, medical attention and nursings care for compensation.
- B. Dental or Medical Clinic: A building used for the examination and treatment of the physically ill, provided that no facilities are provided for patients remaining overnight, except under emergency conditions.
- C. Dental or Doctors Office: The same as dental or medical clinic, including the various dental and medical specialties.
- D. Hospital: An institution providing physical and mental health services primarily for human inpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities, and staff offices which are an integral part of the facilities.
- E. Public Health Center: A facility primarily utilized by a health unit for providing public health services including related facilities.

MOBILE HOME COURT: A parcel of land under single ownership that has been planned and improved for a placement of mobile homes for nontransient use.

MOBILE HOME LOT: A parcel of land for the exclusive use of the occupants of a single mobile home.

MOBILE HOME STAND: The part of an individual lot, which has, been reserved for the placement of the mobile home.

NONCONFORMING USE: A parcel of land lawfully occupied by a use that does not conform to the regulations of the district in which it is located.

OFF-STREET PARKING: The provision of space reserved exclusively for the parking of motor vehicles entirely off the public street and lying wholly within the property boundaries of the parcel of land affected.

OPEN SPACE: Area included in any side, rear, or front yard, or any other unoccupied space on a lot that is open and unobstructed to the sky except for the ordinary projection of cornices and eaves of porches.

PARCEL: A lot as defined herein.

PARKING AREA, PRIVATE: An open area for the same uses as private garage.

PARKING AREA, PUBLIC: An open area, other than a street or other public way, used for the parking of automobiles and available to the public whether for fee, free or as an accommodation for clients or customers.

PARKING SPACE: A permanently surfaced area of not less than two hundred (200) square feet, either within a structure or in the open, exclusive of driveways or access drives for the parking of motor vehicles.

PERMITTED USES: The use of a structure or of a tract of land allowed by the use regulations of this Ordinance.

ROOMING HOUSE: See Boarding House.

SIGN, ILLUMINATED: A sign designed to give forth any artificial light, or designed to reflect light from one or more sources, natural or artificial.

SIGN, PROJECTING: A sign erected on the face or outside wall of a building, which projects out at any angle therefrom.

SIGN, TEMPORARY: Signs of the temporary nature used to advertise the premises for sale, rent, or lease.

SIGN: Any structure or part thereof, or any device attached to, painted on, or represented on a building or other structure, upon which is displayed or included any lettering, model, banner, flag, pennant, insignia, decoration, device, or representation used as, or which is in the nature of, an announcement, direction, advertisement, or other attention-directing device. A sign shall not include the similar structure or device located within a building except for illuminated signs within show windows. The sign includes any billboard, but does not include the flag, pennant, or insignia of any nation or association of nations, or any state, city, or other political, charitable, educational, philanthropic, civic, professional, religious, or like campaign, drive, movement, or event.

STORY: That portion of a building, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.

STORY, FIRST: The lowest story or the ground story of any building, the floor of which is not more than twelve (12) inches below the average contact ground level at the exterior walls of the building; except that any basement or cellar used for residence purposes shall be deemed the first story; provided that a basement or cellar used purely for recreational purposes shall not be deemed the first story.

STORY, MEZZANINE: A story which covers, one-third (1/3) or less of the story directly underneath it.

STREET: A public right-of-way more than twenty (20) feet in width which provides a public means of access to abutting property and used primarily for vehicular circulation. The term street shall include avenue, drive, circle, road, parkway, boulevard, land, place, highway, thoroughfare, and any other similar term.

STREET, COLLECTOR: Those residential streets designed to carry inter-city traffic connecting neighborhood areas to a major street whose purpose is to collect traffic from other minor streets and to serve as the most direct route to a major street or to a community facility as described and shown on the Thoroughfare Plan.

STREET, INTERSECTING: Any street which adjoins another street at an angle whether or not it crosses the other.

STREET, MAJOR: An arterial street which is designated on the Thoroughfare Plan and designed to carry inter-city traffic and to relate the various neighborhoods within the City.

STREET, MINOR: Any street not designated as a major or collector street and intended to serve or provide access exclusively to the properties abutting thereon.

STRUCTURAL ALTERATION: Any change in the structural members of a building such as walls, columns, beams or girders.

STRUCTURE: Anything constructed, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground (not including sidewalks, driveway and similar improvement areas).

THOROUGHFARE-EXPRESSWAY: A primary thoroughfare with divided roadways, partial or full control of access, in general, and with grade separations at intersections. A freeway shall mean an expressway with full control of access and meeting the standards of the Bureau of Public Roads, U.S. Department of Commerce.

THOROUGHFARE-PRIMARY OR SECONDARY: An officially designated Federal or State numbered highway or county or other road or street designated as a primary thoroughfare on the official Thoroughfare or Major Street Plan for the City of Guymon, Oklahoma or county or other road or street designated as a secondary thoroughfare on said plan, respectively.

THOROUGHFARE PLAN: The part of the Comprehensive Plan referring to transportation development goals, principles, and standards and also includes use of the words Major Street Plan and Trafficway Plan.

TOURIST COURT: An area containing one (1) or more buildings designed or intended to be used as temporary sleeping facilities of one (1) or more transient persons.

TRAFFIC SIGNALING DEVICE: A sign, device of mechanical contrivance, used for the control of motor vehicular and pedestrian movement.

TRAILER OR MOBILE HOME: A portable or mobile living unit used or designed for human occupancy on a permanent basis.

USE: The purpose for which land or a building or structure is arranged, designed or intended, or for which either land, building or structure is, or may be occupied or maintained.

UTILITY SERVICE INSTALLATION: Any structure or installation by utility company deemed to be necessary for the safe or efficient operation of that utility.

VARIANCE: Any modification of the terms of this ordinance.

YARD, FRONT: A yard extending across the full width of a lot from side lot line to side lot line abutting on a street beyond which a building may not protrude.

YARD, REAR: A yard extending across the rear of a lot measured from side lot line to side lot line and at opposite end to the front lot line.

YARD, SIDE: A yard extending from front building line to the rear building line abutting the side lot line beyond which no building may protrude.

ZONING MAP: The adopted zoning map or maps of the City of Guymon together with all amendments.

ARTICLE 4

GENERAL PROVISIONS APPLYING TO ALL OR TO SEVERAL DISTRICTS

SECTION 1

APPLICATION OF REGULATION TO THE USES OF A MORE RESTRICTED DISTRICT

1.1 Whenever the specific district regulations pertaining to one district permit the uses of a more restricted district, such uses shall be subject to the conditions set forth in the regulations of the more restricted district, unless otherwise specified.

1.2 It is intended that these regulations be interpreted as not permitting a dwelling unit to be located on the same lot with or within a structure used or intended to be used primarily for nonresidential purposes.

SECTION 2

EXISTING BUILDINGS AND LAND USE

2.1 Except as herewith provided, no building or parcel of land shall be used or occupied and no building or part thereof shall be erected, moved, or altered unless in conformity with the regulations herein specified.

SECTION 3

HEIGHT AND DENSITY

3.1 No building shall hereafter be erected or altered which will exceed the height limit nor shall any building or land be used or occupied hereafter in excess of the density regulations for that district; no building shall hereafter be erected or altered to accommodate a greater number of families than those specified for that district; no building shall be erected or altered to exceed the specifications of required lot size, maximum coverage, yard requirements, height limitations, or bulk limitation for that district as defined.

SECTION 4

BUILDINGS

4.1 Any building hereafter erected or structurally altered shall be located on one (1) lot and, except as provided herein, there shall be no more than one (1) principal building and the customary accessory buildings on one (1) lot; provided further that accessory buildings may not be erected or placed in the front and side yard areas as required in the separate Districts.

SECTION 5

STREET ACCESS

5.1 No principal building shall hereafter be constructed on a lot that does not abut a public dedicated street.

SECTION 6

OFF-STREET PARKING

6.1 PURPOSE AND APPLICATION

It is the intent of these requirements that adequate parking and loading facilities be provided off the street easement for each use of land within the City of Guymon. Requirements are intended to be based on the demand created by each use. These requirements shall apply to all uses in all Districts.

6.2 REQUIRED OPEN SPACE

Off-street parking space may be a part of the required open space associated with the permitted use and shall not be reduced or encroached upon in any manner.

6.3 LOCATION

The off-street parking lot shall be located within two hundred (200) feet, exclusive of street and alley widths, of the principal use and shall have direct access to a street or alley.

6.4 JOINT PARKING FACILITIES

Whenever two or more uses are located together in a common building, shopping center or other integrated building complex, the parking requirements may be complied with by providing a permanent common parking facility, cooperatively established and operated, which contains the requisite number of spaces for each use. The total number of spaces provided shall not be less than the sum of the individual requirements.

6.5 SIZE OF OFF-STREET PARKING SPACE

The size of a parking space for one vehicle shall consist of a rectangular area having dimensions of not less than ten (10) feet by twenty (20) feet plus adequate area for ingress and egress.

6.6 AMOUNT OF OFF-STREET PARKING AND LOADING REQUIRED

Off-street parking and loading facilities shall be provided in all Districts in accordance with the following schedule:

- A. Dwelling, Single-family or Duplex: One (1) parking space for each separate dwelling unit within the structure.
- B. Dwelling, Multiple-family: The number of spaces provided shall not be less than one and one-half (1 1/2) times the number of units in the dwelling.
- C. Boarding or rooming house or hotel: One (1) parking space for each two (2) guests provided overnight accommodations.
- D. Hospitals: One (1) space for each four patient beds, exclusive of bassinets, plus one (1) space for each staff or visiting doctor, plus one (1) space for each three (3) employees including nurses, plus adequate area for the parking of emergency vehicles.
- E. Medical or Dental Clinics or Offices: Six (6) spaces per doctor plus one (1) space for each two (2) employees.
- F. Convalescent or Nursing Homes: One (1) space for each six (6) patient beds plus one (1) space for each staff or visiting doctor plus one (1) space for each two (2) employees including nurses.

- G. Community Center, Theater, and Auditorium, Church Sanctuary: One (1) parking space for each four (4) seats, based on maximum seating capacity.
- H. Convention Hall, Lodge, Club, Library, Museum, Place of Amusement or Recreation: One (1) parking space for each fifty (50) square feet of floor area used for assembly or recreation in the building.
- I. Office building: One (1) parking space for each three hundred (300) square feet of gross floor area in the building, exclusive of the area used for storage, utilities and building service.
- J. Commercial Establishments Not Otherwise Classified: One (1) parking space for each one hundred fifty (150) square feet of floor space used for retail trade in the building and including all areas used by the public.
- K. Industrial Establishments: One (1) off-street parking space for each one thousand (1000) square feet of gross floor area or one (1) off-street parking space for each three (3) employees whichever is greater and one (1) loading or unloading berth for each twenty five thousand (25,000) square feet or fraction thereof of gross floor area.

6.7 PAVED SURFACE REQUIRED REPEALED BY ORD 744 (7-09-09)

6.8 OFF-STREET PARKING LOTS IN RESIDENTIAL DISTRICTS

Whenever off-street parking lots for more than six (6) vehicles are to be located within or adjacent to a Residential District, the following provisions shall apply:

- A. All sides of the lot within or abutting the Residential District shall be enclosed with an opaque ornamental fence, wall or dense evergreen hedge having a height of not less than five (5) feet. Such fence, wall or hedge shall be maintained in good condition.
- B. No parking shall be permitted within a front yard setback line whenever the parking lot is located in a residential district or immediately abuts the front yard of a residential unit. In all other cases, a minimum five (5) foot setback shall be required.
- C. Driveways used for ingress and egress shall be confined to and shall not exceed twenty-five (25) feet in width, exclusive of curb returns.
- D. All of the lot used for parking and driveway purposes shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.
- E. Whenever lighting is provided, it shall be arranged so that all light is deflected from adjoining residential uses.
- F. No sign of any kind shall be erected except information signs used to guide traffic and to state the condition and terms of the use of the lots. Only non-intermittent white lighting of signs shall be permitted.

6.9 OFF-STREET PARKING

- A. No operator or owner of any commercial or non-commercial motor vehicle or trailer, nor owner or person exercising dominion over any real property, shall park or allow the parking of, any motor vehicle or trailer upon any real property in the City of Guymon, except upon an artificial surface meeting adopted design specifications of the City.

1. Design Specifications for Artificial Surfaces are as follows:

- a. A Portland Cement concrete pavement surface, four inches (4") thick minimum, wide enough to extend from side to side of the vehicles or trailers parked on said surface, and of sufficient length to extend from bumper to bumper of the vehicle parked on said surface; or
 - b. Asphaltic-concrete pavement of uniform thickness of two inches (2") meeting all other requirements in (1.a) above; or
 - c. Paving brick, paving stone or concrete pavers installed upon a minimum 2" sand base.
- B. Exceptions. The provision of paragraph A of this section shall not be applicable in the following instances;
1. To parking on grass, gravel or crushed material of similar consistency for events presented on an intermittent basis such as sporting events, car shows, music concerts, holiday or social celebrations or other events of a similar temporary nature.
 2. To real property under active construction and improvement pursuant to a duly issued building permit:
 3. As to vehicles parked completely to the rear of the front wall of the main building on the subject property and concealed from view from all public street rights-of-way by:
 - a. A solid opaque, screening fence or wall at least six feet (6') in height; or
 - b. Vegetation consisting of a solid hedge row of evergreen shrubs, providing full screening from the ground to a minimum height of six feet (6');
 - c. Any combination of the above that effectively conceals the vehicles from view and accomplishes the required screening height.
 4. To legally non-conforming off-street parking
 5. In any case where a variance from the provisions of paragraph A of this Section has been granted by the Board of Adjustment of the City of Guymon.

SECTION 7

STORAGE AND PARKING OF TRAILERS AND COMMERCIAL VEHICLES

7.1 Commercial vehicles and trailers of all types, including travel, camping and hauling, and mobile homes shall not be parked or stored on any lot occupied by a dwelling or on any lot in any Residential District except in accordance with the following provisions:

- A. No more than one (1) commercial vehicle, which does not exceed one and one-half (1-1/2) tons rated capacity, per family living on the premises, shall be permitted; and in no case shall a commercial vehicle used for hauling explosives, gasoline, or liquified petroleum products be permitted.
- B. No more than one (1) camping or travel trailer or hauling trailer per family living on the premises shall be permitted and said trailer shall not exceed twenty-four (24) feet in length, or eight (8) feet in width; and further provided that said trailer shall not be parked or stored for more than forty-eight (48) hours unless it is located behind the front yard building line. A camping or travel trailer shall not be occupied either temporarily or permanently while it is parked or stored in any area within the incorporated limits except in a trailer court authorized under the ordinances of the City of Guymon.
- C. A mobile home shall be parked or stored only in a trailer court which is in conformity with ordinances of the City of Guymon, however, one mobile home may be permitted on a residential lot if located to conform to building restrictions and occupied by relatives of the resident family.

SECTION 8

ANNEXATION CLAUSE

8.1 All territory annexed to the corporate limits of Guymon, Oklahoma, subsequent to the effective date of this Ordinance is within the jurisdiction of this Ordinance and will, upon annexation, be zoned as R-1, Single-Family Residential District, unless otherwise classified by the City Council. Within six (6) months after the effective date of such annexation, the City Council of the City of Guymon shall, in accordance with Title 11, Chapter 7, Sections 401-410, Oklahoma Statutes and this Ordinance, rezone said annexed territory in keeping with the Comprehensive Plan.

SECTION 9

EXISTING LOTS OF RECORD

9.1 In any district where single-family residences are permitted, a single-family detached dwelling may be erected on any lot which is of official record on the effective date of this Ordinance, subject to the following restrictions:

- A. There must be provided a minimum lot width of fifty (50) feet.
- B. There must be provided a minimum of ten (10) feet in side yards with five (5) feet on any one side.
- C. The front and rear yards must comply with the requirements set forth for the zoning district within which the lot of record is located.

SECTION 10

Use of public areas - rezoning after discontinuance of use 10-1: See page 6-23

SECTION 11

LANDSCAPING

11.1 LANDSCAPING REQUIRED

It is the intent of this section that all new construction in the City of Guymon be so designed that landscaping is included as an integral part of the environment to provide an improved quality of life and enhance the physical surroundings and environment of the city.

All multiple family, commercial, industrial, and public uses shall be landscaped with trees, ornamental shrubs and green areas according to the following standards:

- A. Not less than five percent of the total land area of the lot shall be landscaped with trees, ornamental shrubs, walkways, and green areas. At least seventy-five percent of this area shall be in the front or side yards.
- B. Application for a Building Permit shall be accompanied by a detailed landscaping plan for both the required lot area and the area within the street right-of-way between the property line and the curb. The plan shall meet the following requirements:
 - 1. The type of plants shall be designated.
 - 2. There shall be a live tree having minimum height of five feet provided for every five hundred square feet of area to be landscaped including the area within the street right-of-way.
 - 3. Artificial grass or any form of synthetic plant shall not be permitted as part of the minimum required by this ordinance for landscaping.
 - 4. Use of gravel as ground cover shall not be considered as meeting the minimum requirements of this section.
 - 5. The plan shall especially respect sight triangles at intersections and be approved for all elements relating to traffic control.
- C. The Building Permit shall not be issued until the landscaping plan has been approved by the City Building Inspector.
- D. A Certificate of Occupancy for any structure shall not be issued until the landscaping has been installed in accordance with the plan and it shall be illegal for any person, firm, or corporation to occupy or operate a business in any new structure for which landscaping, as shown by the plans, is not provided except that if a structure and all its site improvements is complete except for these landscaping requirements and the season of the year will not permit the planting and growing of plants, temporary occupancy may be permitted until a date certain in the growing season. This date shall be set by the building inspector on the designated date to determine if the landscaping has been installed. If the landscaping has not been completed by this inspection date, the same shall constitute a violation of this ordinance and upon conviction the person, firm or corporation granted the temporary occupancy permit shall be fined not more than thirty-five dollars (\$35.00) and each day that the landscaping is not completed shall constitute a separate offense.

- E. All landscaping improvements shall be maintained in a live and healthy condition. (Amended by Ordinance 507, August 29, 1990)

SECTION 12

REGULATION OF OIL AND GAS OPERATIONS

12.1 INTENT AND PURPOSE

The intent and purpose of this ordinance is to regulate oil and gas operations to ensure the public health, safety and welfare of the City.

12.2 DEFINITIONS

- A. "Well" means any hole or bore drilled for the purpose of capturing any oil, gas or other hydrocarbons.
- B. "Public Building" means any building intended to be used for gathering fifty (50) or more persons for any use or purpose allowed to be conducted in any R-1, R-2, C-1, C-2, C-3, I-1, I-2, P-1 or Planned Unit Development Zoning District in the City of Guymon.
- C. "Dwelling" means any building or portion thereof designed or used exclusively as a residence or sleeping place of one or more persons, but not including a tent, cabin, trailer coach, boarding or renting house, hotel or motel.

12.3 WELL LOCATION

- A. No well shall be drilled nor shall any tank batteries, facilities or equipment be located nearer than 300' to any dwelling or other building intended for human occupancy. The distance shall be measured from the well bore, tank batteries, well facilities and equipment to the closest exterior point of the dwelling or other building.
- B. No well shall be drilled nor shall any tank batteries, facilities or equipment be located nearer than 600' to any public building. The distance shall be measured from the well bore, tank batteries, well facilities and equipment to the closes exterior point of the building.
- C. The provisions of this section shall not apply to wells, facilities or equipment in use on the effective date of this ordinance.

ARTICLE 5

NONCONFORMING BUILDINGS, STRUCTURES AND USES OF LAND

SECTION 1

INTENT

1.1 INTENT AND PURPOSE

Within the districts established by this Ordinance or amendments that may later be adopted, there exist lots, structures, and uses of land and structures which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendment.

1.2

It is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. It is further the intent of this Ordinance that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

1.3 A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land shall not be extended or enlarged after passage of this Ordinance.

SECTION 2

NONCONFORMING LOTS OF RECORD

2.1 In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. Variance of area, width, and yard requirements shall be obtained only through action of the Board of Adjustment.

SECTION 3

NONCONFORMING STRUCTURES

3.1 Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No such structure may be enlarged or altered in a way which increases its nonconformity.
- B. Should such structure be destroyed by any other means, other than a casualty loss, to an extent of more than 50 percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance. Provided that a structure damaged by a casualty loss may be repaired or reconstructed in a manner that does not enlarge the structure or increase its non-conformity as it existed before the casualty loss. (Amended by Ordinance 502, March 14, 1990)

- C. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

SECTION 4

NONCONFORMING USES OF STRUCTURES

4.1 If a lawful use of a structure, or of structure and premises in combination, exists at the effective date of adoption or amendment of this Ordinance that would not be allowed in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located. Provided that a structure damaged by a casualty loss may be repaired or reconstructed in a manner that does not enlarge the structure or the nonconforming use of the structure as it existed before the casualty loss. (Amended by Ordinance 502, March 14, 1990.)
- B. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.
- C. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.
- D. When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six (6) consecutive months, the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located.
- E. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

SECTION 5

NONCONFORMING USES OF LAND

5.1 Where, at the effective date of adoption or amendment of this Ordinance, lawful uses of land exist that are no longer permissible under the terms of this Ordinance as enacted or amended, such uses may be continued, so long as they remain otherwise lawful, subject to the following provisions:

- A. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.
- B. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such at the effective date of adoption or amendment of this Ordinance;
- C. If any such nonconforming use of land ceases for any reason for a period of more than 30 days, any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.

ARTICLE 6

SPECIFIC DISTRICT REGULATIONS

SECTION 1

A-1 GENERAL AGRICULTURAL DISTRICT

1.1 GENERAL DESCRIPTION

The A-1, Agricultural District, is established for several purposes: (1) to provide for the continued use of land for predominately agricultural purposes; (2) to preserve undeveloped areas until they can feasibly be developed at urban standards and with adequate public safeguards of health, safety, etc.; and (3) to restrict development in areas subject to severe inundation until such time as it can be shown that these areas are no longer subject to flooding.

1.2 USES PERMITTED

No buildings or use shall hereafter be established or enlarged within the A-1, General Agricultural District, except a building or use devoted to one (1) of the following purposes:

- A. Agriculture, as defined in this Ordinance.
- B. Single-family dwellings.
- C. Churches and temples.
- D. Elementary schools and high schools.
- E. Golf courses, but not including golf driving ranges, pitch and putt courses, or miniature golf courses.
- F. Parks and forest preserves, operated not for profit.
- G. Temporary buildings and uses for construction purposes, only and not for dwelling purposes, nor for a period that exceeds the completion of the construction.
- H. Accessory buildings or uses incidental to the foregoing principal uses.
- I. Municipal or community recreation centers.
- J. Police or fire stations.
- K. Public buildings or buildings operated in the public interest by a not-for-profit corporation, including art galleries, post offices, libraries, or museums.
- L. Public or not-for-profit auditoriums, stadiums, arenas, armories, or sanitariums.
- M. Public or private hospitals or sanitariums.
- N. Public or private schools and colleges.
- O. Public utility and service uses, including electric substations, gas regulator stations, electric, gas, telegraph, telephone and water transmission metering and distribution equipment and structures, micro-wave relay towers, water reservoirs or pumping stations, and other similar facilities.

1.3 AREA AND HEIGHT REGULATIONS

Minimum Lot Area	Minimum Lot Frontage	Maximum % Coverage	Maximum Height	Front Yard Setback	Side Yard Setback	Rear Yard Setback
5 acres	150'	30% Including accessory buildings	35'	50'	25'	50'

SECTION 2

R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

2.1 GENERAL DESCRIPTION

The R-1 Single-Family Residential District is established as a district in which the use of the land is for single-family dwellings except as noted. It is the purpose and intent of this District to promote the development of and the continued use of the land for single family dwellings and to prohibit commercial and industrial use or any other use which would substantially interfere with the development or continuation of single-family dwellings in this District. The intent is to further discourage any use in this District which would generate traffic or create congestion on neighborhood streets other than the normal traffic which serves the residents in the area. This District further encourages only those uses which, because of character or size, would not create additional requirements and costs for public services in excess of requirements and costs for single-family dwellings.

2.2 USES PERMITTED

The following uses are permitted in an R-1, Single-Family Residential District, and are subject to all the general provisions and regulations of this Ordinance.

- A. Single-family detached dwellings.
- B. Elementary schools, public and private where the curriculum is similar in nature and preparation of course work to the public school.
- C. Public park or playground.
- D. Agricultural uses of the garden type that are not intended for commercial purposes.
- E. Family day care home as defined in Section 9-402 of the Guymon Municipal Code. (Amended by Ordinance No. 565, March 29, 1995)

2.3 USES PERMITTED SUBJECT TO ADDITIONAL REQUIREMENTS

The following uses are permitted provided they meet the requirements noted for each use in addition to applicable area regulations.

- A. Churches - A minimum lot size of one (1) acre and major street frontage as shown on the Thoroughfare Plan.
- B. Library - Provided it has major street frontage as shown on the Thoroughfare Plan.
- C. Home Occupation - Provided that it is in keeping with the meaning of Home Occupation as defined in this Ordinance.
- D. Plant Nursery - Provided that no building or structure is maintained in connection therewith and no retailing or any material is carried on upon the premise.
- E. Golf Course, Private or Public, or Country Club - Provided that the chief activity is for recreational purposes and any commercial activity is accessory or incidental thereto.
- F. Junior High or Senior High Schools - Provided that they have major street frontage as shown on the Thoroughfare Plan.

- G. Accessory buildings which are not a part of a main building may include one (1) private garage.
- H. Temporary structures which are incidental to the construction of the main building and will be removed when the main structure is completed.
- I. Parking lot required to serve the uses permitted in this District.
- J. A temporary bulletin board or sign not exceeding twelve (12) square feet in area appertaining to the lease, hire or sale of a building or premises, which board or sign shall be removed as soon as the premises are leased, hired or sold.

2.4 AREA AND HEIGHT REGULATIONS

Minimum Lot Area	Minimum Lot Frontage	Maximum % Coverage	Maximum Height	Front Yard Setback	Side Yard Setback	Rear Yard Setback
7,000 Square Feet	50'	35% Interior 40% Corner	35'	25'	5' Interior Lots 15' Street Side of Corner Lots	20' 10' Access

- A. Side Yard
 - (1) For buildings of more than one story, the minimum width of the side yard on interior lot lines shall be not less than ten (10) feet.
 - (2) For a principal building other than a one family dwelling, the minimum width of side yard shall be not less than one-half the height of the building, but in no case less than fifteen (15) feet.
- B. Rear Yard
 - (1) Unattached buildings of accessory use may be located in the rear yard of a main building; provided, however, that no accessory building shall be located closer than ten (10) feet to the rear lot line.
- C. Lot Size Requirements
 - (1) The frontage of any wedge-shaped lot which meets the requirements of minimum lot size may be a minimum of forty (40) feet; however, the front building line on the lot shall be a minimum of fifty (50) linear feet measured at an equal distance parallel to and from the front lot line.

2.5 OFF-STREET PARKING

Except as provided for elsewhere in this Ordinance all permitted uses in the R-1 residence district shall comply with the following minimum requirements for off-street parking:

- A. Single-family dwellings: One (1) off-street parking space for each dwelling unit.
- B. Schools, elementary schools, junior and senior high schools, including public, private and parochial schools: One (1) off-street parking space for each employee plus one (1) for each classroom, plus one for each fifty (50) square feet of assembly area with stationary or movable seats.
- C. Other uses permitted: One (1) off-street parking space for each five (5) seats provided for patron use, or one (1) space for each four hundred (400) square feet of gross floor area used or intended to be used for service to the public as customers, patrons, or clients, whichever requires the greatest number of parking spaces. The open space required by front-yard requirements shall not be used for parking.
- D. Utilities service installations: One (1) off-street parking space for each four hundred (400) square feet of floor space.

2.6 SEWER SERVICE

No dwelling unit in an R-1, Single-Family District, shall be constructed which is not provided with an effective connection to a public sewer system unless or until the County Public Health Officer certifies that septic tank or any substitute disposal system can be satisfactorily installed on the lot. As a basis for making his decision, the County Public Health Officer may require such precaution tests as he deems to be necessary. Such tests are to be made at the expense of the homeowner.

2.7 SIGNS AND BILLBOARDS

No signs, billboards, posters, bulletin boards, or other similar matter shall be permitted in the R-1, Single-Family Residential District, except as follows:

- A. Temporary signs not to exceed the duration of six (6) months to advertise the premises for sale, rent or lease, except original sale.
- B. One bulletin board not exceeding fifty (50) square feet may be erected by each church.
- C. Official public notices may be erected on affected property.
- D. One (1) unilluminated name plate not exceeding two (2) square feet in area, and not containing lettering other than the name of the owner or occupants or name or address of the premises.

SECTION 3

R-2 GENERAL RESIDENTIAL DISTRICT

3.1 GENERAL DESCRIPTION

This residential district is intended to provide for both low and high population density. It is established as a district in which the principal uses of the land are for multi-family dwellings and similar high-density residential development. The intent is to encourage the development and the continued use of land for multi-family dwellings and to prohibit commercial and industrial uses or any other use which would substantially interfere with the development or continuation of multi-family dwellings in this District. It is further intended to discourage any use which would generate traffic or create congestion on the neighborhood streets other than the normal traffic which serves the multi-family dwellings or similar residential uses in this District and discourage any use which, because of its characteristics or size, would create additional requirements and costs for public services which are in excess of such requirements and costs if the District were developed solely for multi-family or other similar residential uses.

3.2 USES PERMITTED

The following uses are permitted in any R-2, General Residential District, and are subject to all the general provisions and regulations of this Ordinance.

- A. Any use permitted in Section 2.2, R-1 Single-Family District.
- B. Duplex.
- C. Multi-family dwellings.
- D. Rooming or boarding house.
- E. Accessory buildings and uses customarily incidental to the above uses when located on the same lot.

3.3 USES PERMITTED SUBJECT TO ADDITIONAL REQUIREMENTS

The following uses are permitted, provided they meet the requirements noted for each use in addition to applicable area regulations.

- A. Convalescent home, rest home, nursing home and hospitals, public or private - provided they have frontage on a major street as shown on the Thoroughfare Plan.
- B. Lodges and other service institutions - Provided they are located on a lot of not less than one (1) acre and have frontage on a major street as shown on the Thoroughfare Plan.
- C. Child Care Centers or Day Nurseries - (Deleted by Ordinance No. 565, March 29, 1995)
- D. Any uses permitted subject to additional requirements in Article 6, Section 2.3, R-1 Single-Family Residence District.

3.4 AREA AND HEIGHT REGULATIONS

Minimum Lot Area	Minimum Lot Frontage	Maximum % Coverage	Maximum Height	Front Yard Setback	Side Yard Setback	Rear Yard Setback
7,000 Square Feet	50'	50%	Single Family 35'	25'	5'	20'

A. Front Yard

- (1) When a yard has double frontage, the front yard requirements shall be complied with on both streets.
- (2) One (1) foot of setback for each one (1) foot of height for all use other than single-family and duplex.

B. Side Yard

- (1) For dwellings and accessory buildings located on corner lots, there shall be a side yard setback from the intersecting street of not less than fifteen (15) feet.
- (2) One (1) foot of setback for each one (1) foot of height for all uses other than single-family and duplex.

C. Rear Yard

- (1) Unattached buildings of accessory use may be located in the rear yard of a main building; provided, however, that no accessory building shall be located closer than ten (10) feet to the rear lot line.
- (2) One (1) foot of setback for each one (1) foot of height for all uses other than single-family and duplex.

D. Lot Size Requirements

- (1) There shall be a lot area of not less than seven thousand (7,000) square feet for a two-family dwellings, and an additional area of not less than two thousand (2,000) square feet for each unit, more than two. If the lot is a wedge-shaped lot which meets the requirements of minimum lot size, it may have less than the minimum requirements for frontage as long as the front building line of the lot is a minimum of fifty (50) linear feet. If two stories, the additional square footage required for each unit shall be five hundred (500) instead of two thousand (2,000).

3.5 OFF-STREET PARKING

In the R-2, General Residential District, the off-street parking requirements are the same as those in Article 4, Section 6.

3.6 SEWER SERVICE

In the R-2, General Residential District shall be constructed which is not provided with an effective connection to a public sewer system unless and until the Public County Health Officer certifies that a septic tank or any substitute disposal system can be satisfactorily installed on the lot. As a basis for making his decision, the Health Officer may require such precaution tests as he deems to be necessary. Such tests are to be made at the expense of the homeowner.

3.7 SIGNS AND BILLBOARDS

The control of signs and billboards in the R-2, General Residential District is the same as that in Article 6, Section 2.7 for the R-1, Single-Family Residential District.

SECTION 4

C-1 CONVENIENCE COMMERCIAL DISTRICT

4.1 GENERAL DESCRIPTION

This commercial district is intended for a unified grouping, in one (1) or more buildings, of retail shops and stores and personal services that provide for the regular needs and are for the convenience of the people residing in the adjacent residential neighborhoods. It is intended that the suburban convenience center be developed as a unit with adequate off-street parking space for customers and employees, and with appropriate landscaping and screening.

4.2 USES PERMITTED

All buildings or uses hereafter established or enlarged shall comply with the conditions and restrictions enumerated below:

A. Any of the following uses shall be permitted:

- Artist Supplies and Hobby Shop
- Automobile Service Station
- Bakery Shop
- Barber and Beauty Shops
- Book Store
- Churches
- Clothing or Wearing Apparel Shops
- Drug Store
- Dairy Products Store
- Delicatessen
- Florist Shop
- Gift Shop
- Grocery Store
- Hardware Store
- Jewelry Shop
- Laundry and Dry Cleaning Pick-Up Stations
- Liquor Store
- Medical Facility
- Office General
- Pharmacy
- Public Uses
- Restaurants
- Self Service Laundries
- Shoe Repair Shop
- Tailor Shop
- Toy Store
- Variety Store

Any other commercial use deemed by the Board of Adjustment to be of a similar nature.

All advertising signs relating to the shopping center, the stores and shops therein shall be designed as an integral part of the shopping center development and shall be harmonious with the other design features of the center.

Accessory buildings and uses customarily incidental to the above uses.

4.3 AREA REGULATIONS

Minimum Lot Area	Minimum Lot Frontage	Maximum % Coverage	Maximum Height	Front Yard Setback	Side Yard Setback	Rear Yard Setback
12,000 Square Feet	100'	50%	35'	25'	10'	20'

A. Minimum Area

The parcel of land on which a convenience commercial center is located shall not be less than twelve thousand (12,000) square feet or more than two (2) acres in area.

B. Yard Requirements

It is intended that the grouping of buildings and parking areas be designed to protect, in so far as possible, adjacent residential areas. In no case shall the design of the shopping center provide less than the following standards:

1. All buildings shall be set back from all street right-of-way lines not less than twenty-five (25) feet.
2. On the side of a lot adjoining a residential district, there shall be a side yard set back of one (1) foot for each one (1) foot of height.

4.4 BULK LIMITATIONS (FLOOR AREA RATIO)

In no instance shall the total floor space of the structures in this District exceed the relationship of one to four (1 to 4), i.e., there must be provided four (4) square feet of lot area to each one (1) square foot of floor space in the structure.

4.5 OFF-STREET PARKING

In the C-1, Convenience Commercial District, three (3) square feet of space, dedicated to parking and automobile maneuvering, must be provided for each one (1) square foot of floor space which may be a part of the open space.

4.6 SEWER SERVICE

No structure or use in this District shall be erected or commenced which does not have a connection to the public sewer system, unless and until the County Health Officer certifies that a septic tank or any substitute disposal system can be installed and operated effectively. As a basis for making his decision, the health officer may require such precaution tests as he deems to be necessary. Such tests are to be made at the expense of the landowner.

4.7 SIGNS AND BILLBOARDS

All signs in the C-1 District shall be erected upon private property and shall not encroach upon any public street or walk except as provided by the applicable codes of the City of Guymon and then they shall not overhang at a height of less than nine (9) feet and shall not have a maximum projection greater than seventy-two (72) inches.

- A. Any projection sign in the C-1 District shall not exceed fifty (50) square feet in size, nor will it exceed the height of the building.

- B. No source of incandescent lighting used for illuminating signs shall be directly visible from any street or highway or from any residence, hotel or from any room used for sleeping purposes.
- C. The use of red, green or amber illumination in connection with any sign shall not be permitted within one hundred (100) feet of any intersection. Any use of red, green or amber illumination in connection with any sign must be so located that it in no way creates a confusion with any traffic signal or may be interpreted by any motorist as a traffic signaling device.

SECTION 5

C-2 HIGHWAY COMMERCIAL AND COMMERCIAL RECREATION DISTRICT

5.1 GENERAL DESCRIPTION

This commercial district is established as a district in which the principal use of land is for establishments offering accommodations, supplies, or services to motorists, and for certain specialized uses such as retail outlets, extensive commercial amusements and service establishments which may serve the entire community but do not and should not locate in the central business district or the convenience district.

5.2 USES PERMITTED

- A. Any use permitted in the C-1 Convenience Commercial District.
- B. Other uses, including:
 - 1. Amusement enterprises
 - 2. New and used automobile sales and service, new and used machinery sales and service, and public garages
 - 3. Advertising signs or structures
 - 4. Ambulance service, office or garage
 - 5. Bakery
 - 6. Boat Sales
 - 7. Bowling Alleys
 - 8. Bus Terminal
 - 9. Churches
 - 10. Clothing Store
 - 11. Dance Hall
 - 12. Department Store
 - 13. Drive-in theater or restaurant
 - 14. Electric transmission station
 - 15. Feed and Fuel Store
 - 16. Food Stores
 - 17. Frozen Food Locker
 - 18. Furniture Repair and Upholstery

19. Funeral Parlor
20. Garden Stores
21. Golf Course, Miniature or Practice Range
22. Heating and Plumbing Sales & Service
23. Hospital for Small Animals
24. Interior Decorating Store
25. Ice Plant
26. Key Shop
27. Kennel
28. Laundry
29. Motels
30. Music, Radio, and Television Shop & Repair
31. Night Club
32. Novelty Shop
33. Pawn Shop
34. Pet Shop
35. Printing Plant
36. Public Uses
37. Recreation Center Private
38. Research Laboratories
39. Roller Skating Rink
40. Sign Painting Shop
41. Sporting Goods Store
42. Stock Broker
43. Theater
44. Tavern
45. Toy Store
46. Travel Trailer Park & Sales

- 47. Wholesale Distributing Center
 - 48. Day Care Center as defined in Section 9-402 of the Guymon Municipal Code. (Amended by Ordinance No. 565, March 29, 1995)
 - 49. Mini Storage
- C. Buildings, structures, and accessory uses customarily incidental to any of the above uses, provided that there shall be no manufacturing of products other than such as are customarily incidental to retail establishments.
- D. Any other store or shop for retail trade or for rendering personal, professional or business service which does not produce more noise, odor, dust, vibration, or traffic than those above.

5.3 AREA AND HEIGHT REGULATIONS

Minimum Lot Area	Minimum Lot Frontage	Maximum % Coverage	Maximum Height	Front Yard Setback	Side Yard Setback	Rear Yard Setback
10,000 Square Feet	100'	70%	45'	50'	1' of Setback, 1' of Height when abutting an R-District	20'

5.4 OFF-STREET PARKING

In the C-2, Highway Commercial and Commercial Recreation District, two (2) square feet of off-street parking space dedicated to parking automobile maneuvering must be provided for each one square foot of total floor space.

SECTION 6

C-3 GENERAL COMMERCIAL DISTRICT

6.1 GENERAL DESCRIPTION

This commercial district is designed for the conduct of personal and business services and the general retail trade of the community. It is designed to accommodate a wide variety of commercial uses in the Central Business District or areas of mixed business enterprises. It will not normally be applied in the case of new commercial areas.

6.2 USES PERMITTED

Property and buildings in a C-3, General Commercial District, may be used for the following purposes:

- A. Any use permitted in a C-1 or C-2 Commercial District, **except mini storage which shall not be permitted in a C-3 General Commercial District.**
- B. Any other retail, personal service, business service, or professional use not already mentioned.
- C. Any public buildings or uses.
- D. Buildings, structures, and accessory uses customarily incidental to any of the above uses, provided that there shall be no manufacturing of products other than such as are customarily incidental to retail establishments.

6.3 AREA AND HEIGHT REGULATIONS

<u>Minimum Lot Area</u>	<u>Minimum Lot Frontage</u>	<u>Maximum % Coverage</u>	<u>Maximum Height</u>	<u>Front Yard Setback</u>	<u>Side Yard Setback</u>	<u>Rear Yard Setback</u>
None	None	70%	None	None	None	None

6.4 OFF-STREET PARKING

In the C-3 General Commercial District, there shall be provided one (1) off-street parking space for each four hundred (400) square feet of gross retail floor space.

SECTION 7

I-1 LIGHT INDUSTRIAL DISTRICT

7.1 GENERAL DESCRIPTION

The purpose of the I-1, Light Industrial District, is to provide a location for industries which do not by their nature create nuisances. The intent is to preserve this land for industry in a location beneficial to industries and to prohibit nonindustrial uses. Because of the traffic generated and other objectionable influences created in this District, it is necessary to provide a buffer or setback area between this District and any other zoning district except I-2.

7.2 STANDARDS

Any use constructed, established, altered, or enlarged in the I-1 Light Industrial district after the effective date of this Ordinance shall be so operated as to comply with the following standards:

- A. No building shall be used for residential purposes, except that a watchman may reside on the premises.
- B. No retail sales or services shall be permitted except as incidental to or accessory to a permitted use.
- C. No noise from any operation conducted on the premises, other than that emanating from vehicular traffic, either continuous or intermittent, shall be detectable at any boundary line of the I-1 District.
- D. No toxic matter, noxious matter, smoke, gas, or odorous or particulate matter shall be emitted that is detectable beyond the lot lines of the zoning lot on which the use is located.
- E. No vibrations shall be detectable beyond the lot lines of the zoning lot on which the use is located.
- F. Exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon property located in any residence district.
- G. The manufacture of flammable materials which produce explosive vapors or gases is prohibited.
- H. Any operation that produces intense glare or heat shall be performed within a completely enclosed building, and expected sources of light shall be screened so as not to be detectable beyond the lot lines.

7.3 USES PERMITTED

- A. Building materials sales.
- B. Commercial radio and television transmitting antenna towers and other electronic equipment requiring outdoor towers, including antenna towers for the dispatching of private messages.
- C. Compounding, processing and blending chemical products, but not including any materials which decompose by detonation.
- D. General and administrative offices.

- E. Machine shops and metal products manufacture and tool and dye shops; provided they do not include any of the following equipment: Automatic screw machines, drop forges or riveting machines.
- F. Mail order houses.
- G. Manufacturing and assembling (or any combination of such processes) products from wood, cork, glass, leather, fur, plastic, felt and other textiles, but not including, as a principal operation, the processing of any raw materials.
- H. Manufacturing and assembling electrical and electronic products and equipment.
- I. Printing and binding plants.
- J. Public utility distribution centers.
- K. Research laboratories.
- L. Warehouses and storage facilities.
- M. Water filtration plants, pumping stations, reservoirs, and lift stations.
- N. Any other manufacturing process or establishment which can operate in compliance with the aforementioned requirements.
- O. Accessory uses incidental to and on the same zoning lot as a principal use.

7.4 AREA AND HEIGHT REGULATIONS

All buildings and uses hereafter established or enlarged shall comply with the following requirements.

Minimum Lot Area	Minimum Lot Frontage	Maximum % Coverage	Maximum Height	Front Yard Setback	Side Yard Setback	Rear Yard Setback
None	None	40%	None	50'	25'	50' Minimum or 1' of setback for each 1' of height when adjacent to Resident District

7.5 OFF-STREET PARKING

Off-street parking as required in Article 4, Section 6 of this Ordinance.

7.6 SEWER SERVICE

No structure or use in the I-1 District shall be erected, commenced, or allowed to continue, which does not have a connection to the public sewerage system unless and until the County Public Health Officer certifies that a septic tank or any substitute disposal system can be installed and operated effectively. As a basis for making his decision, such Health Officer may require such precaution test as he deems to be necessary. Such tests are to be made at the expense of the landowner.

7.7 SIGNS AND BILLBOARDS

In the I-1 Light Industrial District, the use of signs and billboards is the same as that in Article 6, Section 4.7 for the C-1 Convenience Commercial District.

SECTION 8

I-2 HEAVY INDUSTRIAL DISTRICT

8.1 GENERAL DESCRIPTION

The purpose of the I-2 Heavy Industrial District is to provide a location for industries, which may by their nature create nuisances. The intent is to preserve this land especially for industry in locations with access to major streets as designated on the major street plan, as well as locations generally accessible to railroad transportation. Because of the nuisances or other objectionable influences that may be created in this District, it is necessary to provide a buffer or setback strip between this District and other zoning districts, except I-1.

8.2 STANDARDS

Any use constructed, established, altered, or enlarged in the I-2 Heavy Industrial District after the effective date of this Ordinance shall be so operated as to comply with the following standards. No use already established on the effective date of this Ordinance shall be so altered or modified as to conflict with, or further conflict with, the applicable standards established hereinafter for the I-2 Heavy Industrial District.

- A. No building shall be used for residential purposes, except that a watchman may reside on the premises.
- B. No retail sales or services shall be permitted, except as incidental to or accessory to a permitted use.
- C. No storage, manufacture, or assembly of goods, shall be conducted out of a building unless the nearest point of said activity is more than one hundred (100) feet from the boundary of any use-district.
- D. Exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon property located in any residence district.
- E. All manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, and testing of goods, water, and merchandise, shall be carried on in such a manner as not to be injurious or offensive by reason of the emission or creation of noise, vibration, smoke, dust or other particular matter, toxic or noxious matter, odorous, glare, or heat, fire or explosive hazards.
- F. No activities involving storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted.

8.3 USES PERMITTED

- A. All buildings or uses hereafter established or enlarged shall comply with the following conditions or restrictions:

Any use permitted in the I-1 Light Industrial District.

- 1. Blacksmiths, tinsmiths, and sheet metal shops
- 2. Bottling works

3. Canning or preserving factories
4. Coal storage plants
5. Ice cream production and distribution
6. Machinery rental, sales, and service
7. Machine shops
8. Manufacturing, fabricating, assembling, repairing, storing and cleaning, servicing, or testing, any of the following materials, goods or merchandise:

Apparel
 Beverages (nonalcoholic), processing and bottling
 Building materials specialties
 Clothing
 Compounding and packaging of chemicals
 Cosmetics and toiletries
 Dairy products
 Drugs and pharmaceutical products
 Electrical and acoustic products and components
 Food products (except fish, sauerkraut, vinegar and yeast)
 Furniture
 Glass products
 Ice, dry and natural
 Jewelry
 Medical laboratory supplies, equipment and specialties
 Metal products and utensils
 Musical instruments
 Optical goods
 Paper products, including boxes and containers
 Radio, phonograph recorder and television sets and parts
 Textiles
 Toys and children's vehicles
 Trailers and carts
 Wood products, including wooden boxes and containers
 Milk, bottling and distribution
 Monumental stone cutting
 Motor freight terminals
 Pattern shops
 Printing plants
 Soldering and welding shops
 Sign painting
 Railroad yards and switching areas, including lodging and sleeping facilities for transient railroad labor
 Spray painting and mixing
 Bulk fuel sales and storage
 Automobile wrecking and junk yards, provided they are enclosed throughout the entire perimeter by a solid fence not less than eight (8) feet in height
 Processing of meat and vegetable products, including the slaughter of animals

8.4 AREA REGULATIONS

A. Minimum Area

There are no requirements for minimum lot area in the I-2 Heavy Industrial District.

B. Yard Requirements

Yard requirements in the I-2 District are the same as those in Article 6, Section 7.4 for the I-1 District.

C. Coverage

Buildings shall not cover more than fifty per cent (50%) of the site on which the use is located.

8.5 OFF-STREET PARKING

Off-street parking as required in Article 4, Section 6 of this Ordinance.

8.6 SEWER SERVICE

No structure or use in the I-2 District shall be erected, commenced, or allowed to continue, which does not have a connection to the public sewerage system unless and until the County Public Health Officer certifies that a septic tank or any substitute disposal system can be installed and operated effectively. As a basis for making his decision, said Health Officer may require such precaution tests as he deems necessary. Such tests are to be made at the expense of the landowner.

8.7 SIGNS AND BILLBOARDS

In the I-2 District, the control of signs and billboards is the same as that in Article 4, Section 5.8 for the C-1 District.

SECTION 9

P-1 PUBLIC USE DISTRICT

9.1 GENERAL DESCRIPTION

Public Use Districts are publicly owned areas intended to be used only for public or recreational purposes.

9.2 USE OF PUBLIC AREAS: REZONING AFTER DISCONTINUANCE OF USE

Uses of areas indicated on the zoning map as a Public Use District may include public parks, school sites, cemeteries, recreation areas, golf courses, fraternal lodges, country clubs, libraries, fire stations, water works, airport, hospitals or other public or recreational (including ancillary food and beverage facilities provided that the chief activity is for recreational purposes and any commercial activity is incidental thereto) and the area shall not be used for any purpose other than that designated; when the use of the area is discontinued, it shall automatically be zoned to the most restricted adjoining districts.

SECTION 10

S-O-D - SUBURBAN OFFICE DISTRICT

10.1 GENERAL DESCRIPTION

This commercial office district is intended to provide a location for these professional offices as a buffer between more intensive retail commercial or office uses. This district places a great emphasis on open space and aesthetic considerations in building construction and landscaping. Uses should be limited to low rise professional offices or low density residential structures which may be designed in combination with each other. The total land area should be small in order to avoid conflict with adjacent R-1 and R-2 zones. It shall not be construed that this district should be used to cause strip commercial development of any street in the City of Guymon.

10.2 USES PERMITTED

Property and buildings in the S-O-D Suburban Office District shall be used for the following purposes:

- A. Office buildings in which no activity is carried on catering to retail trade with the general public and no stock of goods is maintained for sale to customers, except for a pharmacy or optician which are located within a clinic and have no visibility from adjacent streets. These uses shall include but shall not be limited to: doctors, dentists, lawyers, architects, engineers, accountants, and photographers; provided, however, this shall in no way be construed as permitting undertaking establishments, funeral homes, veterinarian offices, and drug, alcohol or substance abuse treatment or rehabilitation clinics or facilities or any other facility or establishment which requires or permits patients or patrons to stay overnight or otherwise reside upon the premises.

10.3 AREA AND HEIGHT REGULATIONS

- A. Front Yard
 1. The minimum depth of the front yard shall be twenty-five (25) feet.
 2. If twenty-five percent (25%) or more of the lots on one side of the street between two intersecting streets are improved with buildings all of which have observed an

average setback line of greater than the minimum setback provided, and no building varies more than five (5) feet from this average setback line, then no building shall be erected closer to the street line than the minimum setback so established by existing buildings, but this regulation shall not require a front yard of greater depth than forty (40) feet on minor streets.

3. When a yard has double frontage, the front yard requirements shall apply to each frontage.

B. Side Yard

1. For detached structures and for unattached sides of attached structures located on an interior lot, a side yard setback of not less than five (5) feet shall be provided on the unattached sides of the main structure of one story and an additional three (3) feet of side yard shall be provided for each additional story or part thereof. For detached buildings of accessory use, there shall be a side yard setback of not less than five (5) feet.

C. Rear Yard

1. For main structures, there shall be a rear yard setback of not less than twenty (20) feet.
2. Unattached buildings of accessory use may be located in the rear yard of the main structure; provided, however, that no accessory building shall be located closer than ten (10) feet to the rear lot line.

D. Lot Size Requirements

1. There shall be a lot area of not less than ten thousand (10,000) square feet.
2. There shall be a minimum lot frontage of seventy-five (75) feet. If the lot is a wedge-shaped lot, which meets the requirements of minimum lot size, it may have less than the minimum requirements for frontage as long as the front building line of the lot is a minimum of seventy-five (75) linear feet.

E. Coverage

1. The main and accessory building shall not cover more than fifty percent (50%) of the lot area.

F. Height Requirements

1. The maximum building height shall not exceed thirty five (35) feet. If fifty percent (50%) or more of the existing structures on one side of the street between two intersecting streets are improved with heights of less than the maximum, the proposed structure shall conform to the average existing building heights.

10.4 OFF-STREET PARKING

- A. One off-street parking space for each four hundred (400) square feet of gross building floor area.

10.5 SEWER SERVICE

- A. No structural unit in a S-O-D, Suburban Office District, shall be constructed which is not provided with an effective connection to a public sewer system.

10.6 SIGNS AND BILLBOARDS

- A. One (1) unilluminated name plate not exceeding ten (10) square feet in area, and not containing lettering other than the name relating to the principal use. (Amended by Ordinance 503, March 14, 1990)

SECTION 11

M-1 MOBILE HOME SUBDIVISION

11.1 GENERAL DESCRIPTION

The M-1 Mobile Home Subdivision District is established as a district in which the use of land is for single-family mobile home dwellings and the uses described in Part 12, Chapter 6 of the ordinances of the City of Guymon. It is the purpose and intent of this district to promote the development of and continued use of the land for single-family dwellings and to prohibit commercial and industrial use or any other use which would substantially interfere with the development or continuation of single-family dwellings in this district. The intent is to further discourage any use in this district which would generate traffic or create congestion in neighborhood streets other than the normal traffic which serves the residents in the area. This district further encourages only those uses which, because of character or size, would not create additional requirements and cost for public services which are in excess of such requirements and costs, if the district was not developed for single-family mobile home dwellings.

11.2 USES PERMITTED

The following uses are permitted in a M-1 Mobile Home Subdivision District and are subject to all of the general provisions and regulations of this Ordinance.

- A. Single-family detached mobile home dwellings.
- B. Public park or playgrounds.
- C. Other uses authorized by Part 12, Chapter 6 of the ordinances of the City of Guymon.
- D. Accessory Buildings (defined in Part 12, Chapter 6)

Area and Height Regulations

11.3 MOBILE HOME LOT

Minimum Lot Area	Minimum Lot Frontage	Maximum % Coverage	Maximum Height	Front Yard Setback	Side Yard Setback	Rear Yard Setback
6,000'	45'	50%	20'	25'	10'	20'
					15' Street Side of Corner Lot	

Subdivision Requires

Minimum Area 10 acres

11.4 SIGNS AND BILLBOARDS

No Signs, billboards, posters, bulletin boards, or other similar matter shall be permitted in the M-1, Mobile Home Subdivision District, except as follows:

- A. Temporary signs not to exceed the duration of six (6) months to advertise the premises for sale, rent or lease, except original sale.
- B. Official public notices may be erected on affected property.
- C. One (1) unilluminated name plate not exceeding two (2) square feet in area, and not containing lettering other than the name of the owner or occupants or name or address of the premises.

SECTION 12

M-2 MOBILE HOME PARK

12.1 GENERAL DESCRIPTION

The M-2 Mobile Home Park District is established as a district in which the use of the land is for a Mobile Home Park for single-family mobile home dwellings as authorized by Part 12, Chapter 6 of the ordinances of the City of Guymon. It is the purpose and intent of this district to promote the development of and continued use of the land for rental spaces for single-family mobile home dwellings and supporting facilities authorized by Part 12, Chapter 6 of the ordinances of the City of Guymon, and to prohibit commercial and industrial use or any other use which would substantially interfere with the development or continuation of single-family mobile home dwellings upon rental spaces in this district. The intent is to further discourage any use in this district which would generate traffic or create congestion in neighborhood streets other than the normal traffic which serves the residents in the area. This district further encourages only those uses which, because of character or size, would not create additional requirements and costs for public services which are in excess of such requirements and costs if the district was not developed for single-family mobile home dwellings in a Mobile Home Park.

12.2 USES PERMITTED

The following uses are permitted in a M-2 Mobile Home Park and are subject to all of the general provisions and regulations of this Ordinance.

- A. Single-family detached mobile home dwellings.
- B. Public park or playgrounds.
- C. Other uses authorized by Part 12, Chapter 6 of the ordinances of the City of Guymon.
- D. Accessory Building (defined in Part 12, Chapter 6)

12.3 AREA AND HEIGHT REGULATIONS

Minimum Lot Area	Minimum Lot Frontage	Maximum % Coverage	Maximum Height	Front Yard Setback	Side Yard Setback	Rear Yard Setback
3,600 Square Feet	40'	50%	20'	25'	10' Public Street 20' Private Street	7 ½'
Minimum Area		Front Yard Setback		Side Yard Setback		Rear Yard Setback
5 Acres		25'		20'		20'

12.4 SIGNS AND BILLBOARDS

No signs, billboards, posters, bulletin boards, or other similar matter shall be permitted in the M-2, Mobile Home Park District, except as follows:

- A. Temporary signs not to exceed the duration of six (6) months to advertise the premises for sale, rent or lease, except original sale.
- B. One bulletin board not exceeding fifty (50) square feet may be erected by each church.
- C. Official public notices may be erected on affected property.
- D. One (1) unilluminated name plate not exceeding two (2) square feet in area, and not containing lettering other than the name of the owner or occupants or name or address of the premises.
- E. One (1) unilluminated sign announcing the name of the park per entrance to the park.
(Amended by Ordinance 532, September 8, 1993)

SECTION 13

R-3 DISTRICT

13.1 GENERAL DESCRIPTION

The R-3 District is established as a district in which the use of land is for free-standing mobile homes, single-family dwellings, or multi-family dwellings. The intent is to encourage the use of the district as a residential neighborhood.

13.2 USES PERMITTED

The following uses are permitted in a R-3 District and are subject to all of the general provisions and regulations of this Ordinance.

- A. Any use permitted in Section 2.2, R-1 Single-Family District, or Section 3.2, R-2 General Residential District.
- B. Free-standing mobile home dwellings.
- C. Duplex.
- D. Multi-Family dwellings.
- E. Accessory buildings and uses customarily incidental to the above uses when located on the same lot.
- F. Public park or playgrounds.

13.3 AREA AND HEIGHT REGULATIONS

Minimum Lot Area	Minimum Lot Frontage	Maximum % Coverage	Maximum Height	Front Yard Setback	Side Yard Setback	Rear Yard Setback
7,000 Square Feet	50'	50%	Single Family 35'	25'	5' Interior Lots 15' Street Side of Corner Lots	20'

- A. Setback Requirements

One (1) foot of setback for each one (1) foot of height on all sides for all use other than single-family and duplex.
- B. Lot Size Requirements

(1) There shall be a lot area of not less than seven thousand (7,000) square feet for a two-family dwelling, and an additional area of not less than two thousand (2,000) square feet for each dwelling unit, more than two. If the lot is a wedge-shaped lot which meets the requirements of minimum lot size, it may have less than the minimum requirements for frontage as long as the front building line of the lot is a minimum of fifty (50) linear feet. If the

dwelling structure is two stories, the additional square footage required for each unit shall be five hundred (500) square feet instead of two thousand (2,000) square feet.

13.4 SIGNS AND BILLBOARDS

No signs, billboards, posters, bulletin boards, or other similar matter shall be permitted in the R-3 District, except as follows:

- A. Temporary signs not to exceed the duration of six (6) months to advertise the premises for sale, rent or lease, except original sale.
- B. One bulletin board not exceeding fifty (50) square feet may be erected by each church.
- C. Official public notices may be erected on affected property.
- D. One (1) unilluminated name plate not exceeding two (2) square feet in area, and not containing lettering other than the name of the owner or occupants or name or address of the premises.

13.5 OFF-STREET PARKING

In the R-3 District, the off-street parking requirements are the same as those in an R-2 General Residential District.

13.6 SEWER SERVICE

No dwelling unit in an R-3 District shall be constructed which is not provided with an effective connection to a public sewer system.

SECTION 14

PLANNED UNIT DEVELOPMENT

14.1 GENERAL PROVISIONS

The planned unit development, herein referred to as PUD, is a special zoning district category that provides an alternate approach to conventional land use controls. The PUD may be used for particular tracts or parcels of land that are under common ownership and are to be developed as one unit according to a master development plan. The PUD is subject to special review procedures, and once approved by the City Council, it becomes a special zoning classification for the property it represents.

14.10 INTENT AND PURPOSE

The intent and purpose of the planned unit development provisions are to:

- A. Encourage innovative land development while maintaining appropriate limitations on the character and intensity of use, assuring compatibility with adjoining and proximate properties, and following the guidelines of the comprehensive plan;
- B. Permit flexibility within the development to maximize the unique physical features of the particular site;
- C. Encourage efficient use of land, facilitate economic arrangement of buildings and circulation systems, and encourage diversified living environments and land uses;
- D. Achieve a continuity of function and design within the development and to encourage diversified living environments and land uses; and
- E. Provide a vehicle for negotiating modifications in standard development requirements in order to both encourage innovative development and protect the health, safety and welfare of the community.

14.11 PLANNED UNIT DEVELOPMENT AUTHORIZED

A PUD may be authorized by an amendment to the Official Zoning Districts Map after public hearings by the Planning Commission and City Council, provided it complies with the following requirements:

- A. Locations and Uses. A PUD shall be considered a special zoning districts; and it may be authorized for any use or combination of uses permitted in this chapter.
- B. Planned Unit Development Master Plan Required:
 - 1. The basis for review and approval of a PUD application shall be the PUD master plan, which shall be adopted as a part of the ordinance of rezoning in conformance with the requirements described in these regulations.
 - 2. For a Simplified PUD, the PUD master plan shall be the Simplified PUD application to be provided by the Building Inspector. A Simplified PUD is one which complies with the following:
 - a. It is for a single tract or parcel or land that is no more than two (2) acres in size; and

- b. It is governed by the regulations of only one conventional zoning district; and
- c. The use regulations of the conventional zoning district are modified only to decrease, not increase, the number of allowed uses (permitted, conditional, special exception and special permit uses); and
- d. The development regulations of the conventional zoning district are modified only to make them more restrictive, not less restrictive.

A site plan may be required by the Building Inspector, if it is deemed necessary to effectively review the application.

For all other PUDs, the PUD master plan shall consist of two (2) elements, the design statement and the master development plan map.

C. Effect of Planned Unit Development Approval:

- 1. Approval of a zoning change to PUD adopts the master plan prepared by the applicant and reviewed as a part of the application. The master plan establishes new and specific requirements for amount and type of land use, residential densities, development regulations and location of specific elements of the development, such as open space and screening.
- 2. The PUD classification replaces any previous zoning district classification of a parcel.
- 3. Where there is no provision in the PUD master plan for special development regulations, the requirements of the most restrictive conventional zoning district in which a proposed use or a structure is permitted shall be applied to the development.

14.12 CRITERIA FOR PLANNED UNIT DEVELOPMENT REVIEW AND APPROVAL

A. Purpose. Because the PUD provides the opportunity for higher densities, greater design flexibility, mixed land uses, and improved marketability, the applicant should be prepared to provide amenities and services that might not be required or possible in a conventional development. Review and approval of a PUD is, therefore, a process of negotiation between the City government and the applicant to achieve the intents and purposes of these regulations and the comprehensive plan. The following factors should be specifically included as review criteria for the evaluation of a PUD application. Other factors not listed herein may also be considered in the review process in order to respond to specific design and land use proposals.

B. Design Standards:

- 1. The proposed PUD shall be designed to provide for the unified development of the area in accordance with the spirit and purpose of the comprehensive plan and the land uses and zoning districts adjacent to it.
- 2. Design of the PUD may provide for modification of conventional zoning ordinance requirements for such elements as yard areas, densities, setback, and height on individual lots in accordance with the PUD master plan.

3. Density, land use, and intensity of use requirements shall be based on the PUD master plan and shall be reviewed carefully for conformance to the comprehensive plan.
 4. Building code requirements shall not be reduced in the design of a PUD.
 5. The maximum number of dwelling units within a PUD shall be based on calculation of gross density. Gross density shall be established in the PUD master plan and shall be calculated by dividing the total land area to be developed for residential uses (exclusive of arterial streets) by the number of dwelling units.
 6. Location and type of housing shall be established in a general pattern and shown on the master development plan map.
- C. Minimum Design and Construction Standards for Streets and Alleys. Streets and alleys for both urban and non-urban PUD's shall be designed and constructed in accordance with City standards and specifications for right-of-way width, curbs, gutters, paving and paving cross sections; provided that modifications may be requested and approved as a part of the master plan if the following criteria are met:
1. Public Streets and Alleys. Proposed public street and alley modifications shall satisfy the following criteria:
 - a. Street right-of-way and paving widths shall be adequate to provide a traffic carrying and utility installation capacity related to the design of the overall street system, the function of the individual street, and the land uses served.
 - b. Paving cross sections shall be designed to be adequate to provide acceptable drainage in conformity with the drainage plan for the PUD; to receive loading commensurate with anticipated traffic based on the design of the overall street system; and to have a maintenance level commensurate with that of facilities constructed to regular standards.
 2. Private Streets and Alleys. Proposed private street and alley modifications shall satisfy the criteria for public facility modifications listed above and the following:
 - a. Private streets shall not be connected to an adjacent parcel which is not a part of the PUD in a manner that will circulate traffic into and through the private street system.
 - b. The owner/applicant shall clearly demonstrate the existence and capabilities of a property owners association to provide the ongoing and long term maintenance of the private street and alley facilities that will not be provided by the City.
- D. General Design and Development Guidelines:
1. Densities. Proposed residential densities should conform to density guidelines in the comprehensive plan and should be allocated in a manner and at a scale that will be compatible with adjacent developed neighborhoods.

2. Amenities. Amenities should be considered as an important justification for development and City approval of a PUD. Where gross or net densities are to be increased to promote economy of development, or where other methods of land use intensification are proposed, usable open space should be furnished along with provision for its permanent retention and continued maintenance. Sidewalks and pedestrian ways should be planned where it is necessary to provide for amenity and public safety.
3. Streets:
 - a. Street design should be innovative and should restrict through traffic from residential areas as much as possible.
 - b. Encouragement should be given to design of short local streets serving limited areas, such as the residential cul-de-sac. Reduction of conventional minor street design widths should be considered appropriate on such streets, when they are designed with limited length and only one access point.
 - c. Reduction of design widths on streets designed in a conventional pattern should not be approved.
 - d. Development of a private street system should be considered appropriate under certain conditions where there is no through traffic. However, a private street system should not serve as a reason for reduction of minimum design and paving standards.
 - e. On-street parking bays or other similar areas where vehicles must be backed into the traffic flow should not be approved on arterial or collector streets or any local street; provided, however, that certain cul-de-sac or small loop street designs may be considered as appropriate.
4. Relationship to Abutting Uses:
 - a. The master development plan map should show graphically the treatments that will be employed to separate the PUD from abutting properties, including commitments to landscaping, screening, earth berms, or similar techniques.
 - b. It is appropriate to specifically establish areas with height limitations where a transition to more intense uses is proposed or where a higher intensity development is proposed to abut a lower intensity area.
5. Mixed Land Use Developments. Where a PUD proposes a mix of uses which would generally be incompatible with a conventional development, the PUD master plan should specifically establish appropriate guidelines to assure a harmonious development.
6. Common Access. In commercial or industrial developments, the PUD master plan should establish specific standards and locations for common access driveways both within the development and abutting arterial streets. Approval of the bonus provisions in this chapter for shared parking facilities should only be authorized in a PUD where this access commitment is provided in the PUD master plan.

14.2. PUD APPLICATION AND REVIEW PROCEDURES

14.20 PLANNED UNIT DEVELOPMENT SUBMISSION REQUIREMENTS

- A. The developer of a PUD shall follow a five-step application and review procedure:
 - 1. Optional pre-application review.
 - 2. Application for rezoning, submission of PUD master plan, including the design statement and master development plan map.
 - 3. Preliminary plat, where required by the subdivision regulations.
 - 4. Final plat, where required by the subdivision regulations.
 - 5. Application for building permit and site plan review.
- B. Each required step shall be completed and approved before the following step is reviewed. Where appropriate, other methods authorized in the subdivision regulations may be substituted in Steps 3 and 4 above. The Planning Commission and City Council may, however, review more than one step at the same public hearing. The final plat however, shall be considered at a separate hearing.
- C. Public Hearings:
 - 1. Public hearings shall be held on the application for rezoning and the PUD master plan in accordance with regular procedures for zoning applications established in Zoning Ordinance.
 - 2. Public hearings on required plats shall be held in accordance with regular procedures established in the Zoning Ordinance and in the subdivision regulations.

14.21 PLANNED UNIT DEVELOPMENT REVIEW PROCEDURES

- A. Step 1. Pre-Application Review. Prior to submission of an application for rezoning to a Planned Unit Development, the applicant should discuss with the Building Inspector the procedure for adopting a Planned Unit Development and the requirements for the general layout of major roadways and utilities, access to arterials, or general design and narrative, the availability of existing services, and similar matters. The Building Inspector shall also advise the applicant, where appropriate, to discuss the proposed Planned Unit Development with those officials who must eventually approve the various aspects of the proposal coming within their jurisdiction. The intent of the pre-application review is to expedite the mandatory design review process and to facilitate the approval of a PUD master plan.
- B. Step 2. Application for Rezoning and PUD Master Plan.
 - 1. The PUD application for rezoning submitted with a request for annexation or otherwise shall be filed in accordance with the Zoning Ordinance and on application forms of the City of Guymon. The PUD master plan, which is submitted with the application for rezoning, shall consist of a design statement and a master development plan map. The applicant shall also provide other supporting maps as necessary to meet the submission requirements of this section.

a. The master development plan map shall be a graphic representation of the development plan for the area, prepared at a scale appropriate for the size of the project but no less than the minimum required for preliminary plats in the subdivision regulations. The purpose of the map is to conceptually portray the development commitments described in the PUD design statement. It is not a requirement that the map show such items as subdivision lines, location of specific structures, or exact location of streets. The complexity of the map information will depend upon the number and extent of varied land uses in the PUD. A single-use PUD, for example, should require less graphic information than a mixed use proposal, and it may be sufficient to outline and identify those general areas where conventional zoning district regulations will be utilized. The map shall show the following:

1. Location of proposed land uses and residential densities;
2. Location of collector streets within the PUD and adjacent arterial streets;
3. Sufficient surrounding area to demonstrate the relationship of the PUD to adjoining uses, both existing and proposed;
4. Location and approximate size of proposed open space and recreation areas;
5. Areas where access to streets will be limited, and location of driveways where appropriate;
6. Any other pertinent information necessary for review, approval, and administration of the PUD.

b. The PUD design statement shall be a written report submitted as a part of the PUD master plan containing a minimum of the following elements:

1. Title of the PUD;
2. List of the owners and/or developers;
3. Statement on the general location and relationship to adjoining land uses, both existing and proposed;
4. Description of the PUD concept, including an acreage or square foot breakdown of land use areas and densities proposed, a general description proposed, a general description of building use types, proposed restrictions, and typical site layouts;
5. The existing PUD zoning districts in the development area and surrounding it;
6. A list of all special development regulations or the conventional zoning district regulations which will be applicable; plus a list of requested variations to the subdivision regulations or other applicable development regulations;
7. A statement on the existing and proposed streets, including right-of-way standards and street design concepts;

8. The following physical characteristics: elevation, slope analysis, soil characteristics, tree cover, and drainage information;
 9. A topographic map with minimum two (2) foot contour intervals;
 10. Drainage information, including number of acres in the drainage-area and delineation of applicable flood levels;
 11. A statement of utility lines and services to be installed, including which lines will be dedicated to the City and which will remain private;
 12. The proposed densities, and the use types and sizes of structures; and
 13. A description of the proposed sequence of development.
2. Upon final approval by the City Council of the PUD master plan and the appropriate ordinance of rezoning, these elements shall become a part of the Official Zoning Districts Map. The ordinance of rezoning shall adopt the PUD master plan by reference, and it shall be attached to said ordinance and become a part of the official records of the City of Guymon.
 3. The PUD master plan shall control the use and development of the property, and all building permits and development requests shall be in accord with said plan until it is otherwise amended by the City Council. The developer shall furnish a reproducible copy of the approved master development plan map for signature by the Chairman of the Planning Commission, the Mayor, and acknowledgement by the City Clerk. The PUD master plan, including the signed map and all supporting data, shall be made a part of the permanent file and maintained by the City Clerk.
- C. Step 3. Preliminary Plat. Upon approval of the PUD master plan and the ordinance of rezoning, the developer shall prepare a preliminary plat for the entire development area. Where a recorded plat exists and where there will be no extensive easements, no property owners association, no plat restrictions, and no sale of lots which do not conform to the platted lot lines, the Planning Commission may waive the platting requirement.
- D. Step 4. Final Plat:
1. Where a subdivision plat has been required, the developer shall prepare a final plat for review, approval, and filing of record according to procedures established by the City Council. In addition to these procedures the final plat shall include:
 - a. Provisions for the ownership and maintenance of common open space. Said open space may be dedicated to a private association or to the public provided that a dedication to the public shall not be accepted without the approval of the City Council.
 - b. A homeowners or property owners association shall be created if other satisfactory arrangements have not been made for improving, operating, and maintaining common facilities, including private street drives, service and parking areas, and recreation areas.

- c. Covenants shall be submitted to reasonably insure the continued compliance with the approved PUD master plan. In order that the public interest may be protected, the City of Guymon shall be made a beneficiary of the covenants. Such covenants shall provide that the City of Guymon may enforce compliance therewith.
- E. Step 5. Site Plan. A site plan shall be submitted upon the application for a building permit and reviewed in accordance with procedures established in the Zoning Ordinance.

14.22 PUD REVIEW, APPROVAL AND MODIFICATION

- A. Design Review Process Mandatory:
 - 1. At Step 2, all Planned Unit Development applications shall be reviewed through the design review process. Upon receipt of a completed application and application fee for PUD master plan review, the Building Inspector shall transmit the application and all supporting material to the various City departments involved with the design review process and to appropriate officials or agencies of city, county, adjoining counties or municipalities, school and special districts, and other official bodies as deemed necessary or as mandated by law, including any review required by regional or State bodies under applicable State or Federal law. Each participant shall consider all pertinent information, and shall provide the Building Inspector with a certified report of their findings, comments, and recommendations. The certified reports shall be transmitted to the Building Inspector within a period of time that shall permit the applicant to receive a design review report certified by the Building Inspector within fifteen (15) days following the acceptance of the application. A copy of said Report will be entered into the project file. The Report or revisions thereto shall also be forwarded to the Planning Commission with the application of PUD master plan and rezoning approval.
 - 2. The certified design review report shall advise the applicant whether or not significant changes or modifications should be made to the PUD Master Plan application prior to the proposals consideration by the Planning Commission. The applicant may elect to present the application to the Planning Commission without modification.
 - 3. This process shall conform to the plat review process in the subdivision regulations. Where a preliminary plat and a PUD master plan are submitted together they may be reviewed concurrently.
- B. Public Hearings. Public hearings by the Planning Commission shall be required prior to approval of Step 2, Step 3 and Step 4. Notice shall be provided in accordance with regular procedures established in the Zoning Ordinance.
- C. Administrative Approval of Minor Amendments:
 - 1. The Building Inspector shall be permitted to approve minor amendments and adjustments to the PUD master plan provided the following conditions are satisfied:
 - a. The project boundaries are not altered.
 - b. Uses other than those specifically approved in the PUD master plan are not added. Uses may be deleted but not to the extent that the character of the project is substantially altered.

- c. The allocation of land to particular uses or the relationship of uses within the project are not substantially altered.
 - d. The density of housing is not increased more than ten (10) percent or decreased by more than thirty (30) percent.
 - e. The land area allocated to non-residential uses is not increased or decreased by more than ten (10) percent.
 - f. Floor area, if prescribed, is not increased or decreased by more than twenty-five (25) percent.
 - g. Floor area ratios, if prescribed, are not increased.
 - h. Open space ratios, if prescribed, are not decreased.
 - i. Height restrictions, yard requirements, lot coverage restrictions and other area, height and bulk requirements prescribed in the PUD master plan are not substantially altered.
 - j. The circulation system is not substantially altered in design, configuration or location.
 - k. The design and location of access points to the project are not substantially altered either in design or capacity.
2. The Building Inspector shall determine if proposed amendments to an approved master development plan satisfy the above criteria. If the Building Inspector finds that these criteria are not satisfied, an amended PUD master plan shall be submitted for full review and approval according to the procedures set forth in these regulations.
 3. Any amendments or adjustments to the PUD master plan must be approved in writing by the Building Inspector.

14.23 REVERSION:

Property Owner Request. If the property owner determines to abandon the PUD concept and nullify the PUD master plan, he shall make application for rezoning either to the original status or to a new classification. Said application shall be heard according to regular procedures by the Planning Commission and City Council.

14.24 REVIEW:

Continuing Review by City. If development of the PUD was not been started within three (3) years of the date of approval of the PUD master plan, the Building Inspector shall request a report from the applicant/owner to determine the status of the project. Such additional requests may be made as necessary.

(Ordinance No. 608, April 8, 1998)

ARTICLE 7

BOARD OF ADJUSTMENT

SECTION 1

AUTHORITY

1.1 There is hereby created a Zoning Board of Adjustment consisting of five (5) members, each to be appointed for a term of three (3) years and removable for cause by the appointing authority, upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. It is specifically provided, however, that on the effective date of this Ordinance such Board of Adjustment as was legally in existence immediately prior to such date shall be constituted as the Board of Adjustment hereby created, and the terms of the members of said Board shall expire after a period of three (3) years, or until their successors are duly appointed and qualified. Said Board of Adjustment shall be appointed by the Mayor and the City Council.

SECTION 2

PROCEDURE

2.1 The Zoning Board of Adjustment shall elect one (1) of its members as Chairman, who shall serve for the duration of his term. The Board shall adopt rules in accordance with the provisions of this Ordinance. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses by subpoena. The Board shall keep the minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. All meetings of the Board shall be open to the public.

SECTION 3

POWERS

- 3.1 The Zoning Board of Adjustment shall have the following powers:
- A. Administrative review. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Chief Administrative Officer in the enforcement of any zoning ordinance.
 - B. To authorize in specific cases such variances from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will, in any individual case, result in unnecessary hardship, so that the spirit of this Ordinance shall be observed and substantial justice done. Such variances may be granted in such individual case of unnecessary hardship upon a finding by the Board of Adjustment that:
 - 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
 - 2. The application of this Ordinance to this particular piece of property would create an unnecessary hardship, not self-imposed by the owner or developer.
 - 3. Such conditions are peculiar only to the particular piece of property involved.

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Zoning Ordinance, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by Ordinance.
5. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

3.2 In exercising the above powers, the Board of Adjustment shall have the concurring vote of at least three (3) of its members in order that it may reverse or affirm in whole or in part, or modify the order, requirement, decision or determination from which appealed and may make such order, requirement, decision or determination as ought to be made or to decide in favor of the applicant, or to decide any matter which may properly come before it pursuant to the Zoning Ordinance and this section.

SECTION 4

NOTICE AND HEARINGS - CONTENTS OF NOTICE – MINOR VARIANCES OR EXCEPTIONS – PAYMENT OF COSTS

4.1 Notice of public hearing before the Board of Adjustment shall be given by publication in a newspaper of general circulation in the municipality where the property is located and by mailing written notice by the clerk of the Board of Adjustment to all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property. A copy of the published notice may be mailed in lieu of written notice; however, the notice by publication and written notice shall be published and mailed at least ten (10) days prior to the hearing.

4.2 The notice, whether by publication or mail, of a public hearing before the Board of Adjustment shall contain:

1. Legal description of the property and the street address or approximate location in the municipality.
2. Present zoning classification of the property and the nature of the appeal, variance or exception requested; and
3. Date, time and place of the hearing.

4.3 On hearings involving minor variances or exceptions, notice shall be given by the clerk of the Board of Adjustment by mailing written notice to all owners of property adjacent to the subject property. The notice shall be mailed at least ten (10) days prior to the hearing and shall contain the facts listed in subsection 4.2. The Board of Adjustment shall set forth in a statement of policy what constitutes minor variances or exceptions, subject to approval or amendment by the City Council.

4.4 The applicant for any relief from the Board of Adjustment shall at the time of making application for relief or prior to the hearing pay the cost of any required publication or mailing of notice.

SECTION 5

APPEALS TO BOARD OF ADJUSTMENT

5.1 Appeals to the Board of Adjustment may be taken by any person aggrieved of by an officer, department, board or bureau of the municipality affected by any administrative decision based on this Zoning Ordinance. Such appeal shall be taken within thirty (30) days by filing with the City Clerk and the Board of Adjustment, a notice of appeal specifying the grounds thereof. The City Clerk shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

5.2 An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal has been filed with him that by reason of facts stated in the certificate a stay would in his opinion would cause imminent peril to life or property. In such case the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application or notice to the officer from whom the appeal is taken and on due cause show.

5.3 The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney,

SECTION 6

APPEAL TO DISTRICT COURT

6.1 An appeal from any action, decision, ruling, judgment or order of the Board of Adjustment may be taken by any person or persons, jointly or severally, or any taxpayer, or any officer, department, board or bureau of the City of Guymon to the District Court by filing a notice of appeal with the City Clerk and with the Board of Adjustment within sixty (60) days from the filing of the decision of the Board, which notice shall specify the grounds of such appeal. No bond or deposit for costs shall be required for such appeal. Upon filing of the notice of appeal as herein provided, the said Board shall transmit forthwith to the Court Clerk of Texas County the original or certified copy of all the papers constituting the record in the case, together with the order, decision or ruling of the Board.

6.2 An appeal to the District Court from the Board of Adjustment stays all proceedings in furtherance of the action appealed from, unless the Chairman of the Board of Adjustment, from which the appeal is taken, certifies to the Court Clerk, after the notice of appeal shall have been filed, that by reason of the facts stated in the certificate a stay in his opinion would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the District Court upon application or notice to the administrative officer in charge of the enforcement of the terms and provisions of the Ordinance, and upon notice to the Chairman of the Board of Adjustment from which the appeal is taken, and, upon due cause being shown, the court may reverse or affirm, wholly or partly, or modify the decision brought up for review.

ARTICLE 8

ADMINISTRATION

SECTION 1

ZONING CLEARANCE PERMIT REQUIRED

1.1 PURPOSE

The Zoning Clearance Permit is a permit issued by the Zoning Administrator which states that, a particular development meets all of the requirements of the Zoning Ordinance. It is not a building permit and does not authorize construction, it simply clears the land and structure in terms of Zoning and authorizes the Building Inspector to issue the Building permit. This permit also provides a good check for the applicant in that any irregularities can be eliminated before the detailed plans are prepared.

1.2 EXISTING BUILDINGS

Any building, structure or use lawfully existing at the time of enactment of this Ordinance may be continued even though such building, structure or use does not conform with the provisions of this Ordinance. However, no building or other structure shall be erected, constructed, enlarged, altered, or repaired, in such a manner as to prolong the life of the building; nor shall the use of any land or building or other structure be changed without a Zoning Clearance Permit issued authorizing such construction, alteration, repair, or use changes as being in compliance with the provisions of this Ordinance.

1.3 APPLICATION

An application for a Zoning Clearance Permit shall be made to the Zoning Administrator by the owner or proposed occupant of the building or land to be occupied or used, and said application shall state the location and legal description of said property and set out in detail the character and nature of the use to be conducted thereon. Within three days, the Zoning Administrator shall grant or deny said Zoning Clearance Permit in accordance with the terms of this Ordinance.

1.4 ACCOMPANYING MATERIAL

All applications for Zoning Clearance Permits shall be accompanied by a plat plan, drawn to scale on suitable paper, showing the actual dimensions of the lot to be built upon, and the size and location of the building to be erected and such other information as may be necessary to satisfy the requirements of these regulations.

1.5 FEES

Zoning Clearance Permits shall not be issued until a fee of five dollars (\$5.00) shall have been paid.

1.6 PENALTIES

Any persons, firm or corporation violating any provisions of this Ordinance is guilty of a misdemeanor and shall be fined not less than five dollars (\$5.00) nor more than twenty dollars (\$20.00) each day the violation exists. Each day constitutes a separate offense.

SECTION 2

BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY REQUIRED

This Ordinance shall be enforced by a Building Inspector, acting at the direction of the chief Administrative Officer. It shall be a violation of this Ordinance for any person to change or permit the change in the use of the land or buildings or structures or to erect, alter, move, improve any building or structure until a building permit has been obtained under the following conditions:

2.1 BUILDING PERMITS

Every application for a building permit shall be accompanied by:

- A. A plat drawn to scale, showing the plot, showing the exact size, shape and dimensions of the lot to be built upon, the exact size and location on the lot of all existing buildings and structures, and the exact size and location on the lot of the structure or building proposed to be built, repaired, altered, erected, or moved, and the size, arrangement, number of parking stalls, movement of vehicles and ingress and egress drives for all off-street parking and loading facilities, if such be for a business, commercial and industrial building.
- B. A declaration of the existing or intended use of each existing and proposed building or structure on the lot and the number of families and housekeeping units which each existing building accommodates and which each existing and proposed building is designed to accommodate.
- C. Additional information relating to the proposed improvement needed to determine compliance with these regulations.
- D. A survey, prepared by a competent surveyor in the State of Oklahoma, of the boundaries of the lot on which the improvement is proposed to be located shall be required by the Building Inspector where the boundaries of the lot are not clearly defined by the survey pins and monuments.
- E. The Building Inspector shall be a person who, in the judgement and opinion of the City Manager, is competent by reason of building experience to properly cause inspections to be made and to determine whether permits should be granted. The Inspector shall serve by appointment of the City Manager and the term shall begin upon the passage of this Ordinance and one year thereafter and shall continue to serve unless removed by the City Manager who may remove without cause.
- F. All applications shall be considered filed with the Building Inspector by the filing of the same with the City Clerk who shall deliver such applications to the Building Inspector.

2.2 FEES

The cost of building permits shall be as provided in the building code.

2.3 CERTIFICATE OF OCCUPANCY

No change shall be made in the use of any land or building or structure after the passage of this Ordinance until a certificate of occupancy is obtained from the City Clerk certifying that all of the provisions of this Ordinance are complied with. Whenever a Building Permit is issued for the erection of a new building or structure, an Occupancy Permit shall not be required, except where the use of the building or structure is changed from that for which the Permit is issued or where the intended use is not clearly stated on the Building Permit.

SECTION 3

VIOLATIONS AND PENALTIES

A violation of this Ordinance shall be deemed a misdemeanor and shall be punishable by fine. Any person, firm, or corporation who violates or refuses to comply with any of the provisions of this Ordinance shall be fined not less than five dollars (\$5.00) nor more than twenty dollars (\$20.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 4

AMENDMENTS

4.1 AMENDMENTS OR CHANGES OR REGULATIONS, RESTRICTION AND BOUNDARIES - PROTEST

Regulations, restrictions and district boundaries of the City of Guymon may be created, amended, supplemented, changed, modified or repealed.

Parties in interest and citizens shall have an opportunity to be heard at a public hearing by the Planning Commission before any district regulation, restriction, or boundary shall become effective. At least fifteen (15) days notice of the date, time, and place of the hearing shall be published in a newspaper of general circulation in the City of Guymon. Said notice shall include a map of the area to be affected which indicates street names or numbers, streams, or other significant landmarks in said area.

Protests against proposed changes shall be filed with the City Clerk at least three (3) days before the date of the public hearing. If protests are filed by:

- A. the owners of twenty percent (20%) or more of the area of the lots or territory included in a proposed change, or
- B. the owners of fifty percent (50%) or more of the area of the lots or territory within a three hundred (300) foot radius of the exterior boundary of the territory included in a proposed change;

then the proposed change or amendment shall not become effective except by the favorable vote of three-fifths (3/5th) of all of the members of the Guymon City Council.

4.2 ADDITIONAL NOTICE REQUIREMENTS FOR PROPOSED ZONING CHANGES AND RECLASSIFICATION

Except as authorized in subsection B of this section, in addition to the notice requirements provided for in Section 4.1 B. of this Article, notice of a public hearing by the Planning Commission on any proposed zoning change, except pursuant to subsection B of this section, shall be given twenty (20) days prior to the hearing by mailing written notice by the City Clerk to all the owners of real property as provided for in Section 4.1 of this Article. The notice shall contain the following:

- A. legal description of the property and the street address or approximate location in the City of Guymon; and
- B. present zoning of the property and the zoning sought by the applicant; and
- C. date, time, and place of the public hearing.

In addition to written notice requirements, notice may also be given by posting notice of said hearing, by the Planning Commission, on the affected property at least twenty (20) days before the date of the hearing.

If the City of Guymon proposes zoning reclassification in order to revise its comprehensive plan or official map or to identify areas which require specific land use development due to topography, geography, or other distinguishing features, including but not limited to flood plain, drainage, historic preservation, and blighted areas, the City Council may require, in addition to the notice requirements provided for in Section 4.1 B. of this Article, a sign to be posted on designated properties within the area affected by the proposed zoning reclassification. The sign and the lettering thereon shall be of sufficient size so as to be clearly visible and legible from the public street or streets toward which it faces. The notice shall state:

- A. the date, time, and place of the public hearing; and
- B. who will conduct the public hearing; and
- C. the desired zoning classification; and
- D. the proposed use of the property; and
- E. other information as may be necessary to provide adequate and timely public notice.

4.3 PETITION FOR AMENDMENT

Petition for amendment to the Zoning Ordinance and Zoning Map shall henceforth be filed with the Planning Commission by filing with the City Clerk by the owner of the property concerned or duly authorized representative thereof, on a standard form furnished by the Commission. All petitions for amendment proposing a change in zoning district classification shall be accompanied by sketch plan of the area proposed to be rezoned, drawn to approximate scale and showing the boundaries and dimensions of the tract, the outline of existing and proposed buildings and structures, the size and location of off-street parking lots, the type of surfacing proposed for said lots, and the plan of structures and the drives proposed for ingress and egress. An area map showing land of all abutting property owners shall also be submitted unless such is shown on tract sketch.

4.4 FEES AND EXPENSES

Upon the filing of a petition for amendment of these regulations, the property owner or his duly authorized representative shall pay a filing fee to the City Clerk. The filing fee shall be set by resolution of the City Council. All fees shall be credited to the general fund of the City of Guymon.

- A. The fees or expenses for all public notices herein required pursuant to petition for amendment shall be paid by the owner of the property or his duly authorized representative. The form for such notice shall be established by the City Council.
- B. If pursuant to a petition for amendment the City Council votes to rezone a lot, parcel, or tract of land, the owner of such land shall pay the cost of the Ordinance publication. Such payment shall be submitted to the City Clerk and the City Clerk shall not cause the Ordinance to be published prior to such payment.

4.5 APPEAL

In the event, the Planning Commission fails to schedule a petition for amendment for public hearing within twenty (20) days after its proper filing with the City Clerk; or if after public hearing, the Planning Commission fails to recommend that this Ordinance be amended in accordance with such petition for amendment, such failure shall be deemed the final determination and decision of the Planning Commission. The final determination of the Planning Commission may be appealed to the City Council provided a written request for a hearing before the City Council is served on the Chairman of the Planning Commission by filing with the City Clerk within fifteen (15) days after the final determination of the Planning Commission.

4.6 ZONING MAP

The Planning Commission shall supervise the official Zoning Map and shall keep same up to date with all changes and amendments. (Amended by Ordinance 547, May 25, 1994)

SECTION 5

VACATION OF PUBLIC EASEMENTS

Whenever any street, alley or other public easement is vacated, the portion vacated shall have the same district classification as the land to which the vacated portion accrues.

SECTION 6

INVALIDITY OF A PART

In case any portion of this Ordinance shall be held to be invalid or unconstitutional, the remainder of the Ordinance shall not thereby be invalid, but shall remain in full force and effect.

SECTION 7

REPEAL OF CONFLICTING ORDINANCES

Any ordinance now in effect that conflicts with any provisions of this Ordinance is hereby repealed.

SECTION 8

EMERGENCY CLAUSE

It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist by reason whereof this Ordinance shall be in full force and effect from and after its passage and approval.

Passed and Adopted this 18th day of October, 1967

APPENDIX I - BOCA SIGNS

SPECIAL CONSTRUCTION

SECTION 3101.0 GENERAL

3101.1 **Scope:** In addition to the general requirements of this code governing the design and construction of all structures, the provisions of this chapter shall control the special structures and construction features as herein provided.

SECTION 3102.0 SIGNS

3102.1 **General:** The provisions of this section shall govern the construction, alteration, repair and maintenance of all signs together with the associated appurtenant and auxiliary devices in respect to structural and fire safety.

3102.2 **Definitions:** The following words and terms shall, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein.

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

Closed sign: A sign in which more than 50 percent of the entire area is solid or tightly enclosed or covered.

Ground sign: A sign supported by uprights or braces in or upon the ground surface.

Marquee sign: A sign attached to or hung from a marquee, canopy or other covered structure, projecting from and supported by the building and extending beyond the building street lot line.

Open sign: A sign in which at least 50 percent of the enclosed area is uncovered or open to the transmission of wind.

Portable sign: A sign, usually of a temporary nature, not securely anchored to the ground or to a building or structure and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character.

Projecting sign: A display sign which is attached directly to the building wall, and which extends more than 15 inches (381 mm) from the face of the wall.

Roof sign: A sign which is erected, constructed and maintained above the roof of the building.

Temporary sign: A sign constructed of cloth, fabric or other lightweight temporary material with or without a structural frame intended for a limited period of display; including decoration displays for holidays or public demonstrations.

Wall sign: A sign which is painted on or attached directly to a fence or on the surface of masonry, concrete, frame or other approved building walls, and which extends not more than 15 inches (381 mm) from the face of the fence or wall.

3102.3 **Zoning law:** Where more restrictive in respect to location, purpose, size or height of signs, the limitations of zoning laws that affect required light and ventilation requirements and occupancy of land shall take precedence over the regulations of this code.

3102.4 **Permits and construction documents:** Permits for signs shall be required as specified in Sections 3102.4.1 and 3102.4.2 except as provided for in Section 3102.4.3. Construction documents shall be prepared and filed in accordance with Sections 3102.4.4 and 3102.4.5.

3102.4.1 **New signs:** A new sign shall not hereafter be erected, constructed, altered or maintained except as provided for herein, and until a permit has been issued by the code official.

3102.4.2 Alterations: A sign shall not be enlarged or relocated unless such sign conforms to the provisions of this section for new signs, or until a proper permit has been secured. The changing of movable parts of an approved sign that is designed for such changes, or the repainting or reposting of display matter, shall not be deemed an alteration, provided that the conditions of the original approval and the requirements of this section are not violated.

3102.4.3 Permit exemptions: A permit shall not be required for the signs specified in Sections 3102.4.3.1 through 3102.4.3.5. Such exceptions, however, shall not be construed to relieve the owner of the sign from responsibility for the sign's erection and maintenance in a safe manner.

3102.4.3.1 Wall Signs: A permit shall not be required for a sign painted on the surface of a fence or approved building wall, or any non-illuminated wall sign on a building or structure which is not more than 10 square feet (0.93 m²) in area.

3102.4.3.2 Sale or rent: A permit shall not be required for ground signs erected to announce the sale or rent of property, provided that such signs are not more than 25 square feet (2.33 m²) in area.

3102.4.3.3 Transit directions: A permit shall not be required for the erection or maintenance of a ground sign designating the location of a transit line, a railroad station or other public carrier provided that such signs are not more than 3 square feet (0.28 m²) in area.

3102.4.3.4 Street signs: A permit shall not be required for ground signs erected by a jurisdiction for street direction.

3102.4.3.5 Projecting signs: A permit shall not be required for a projecting sign not exceeding 2 « square feet (0.23 m²) of display surface.

3102.4.4 Construction documents and owner's consent: Before any permit is issued for the erection of a sign, construction documents shall be filed with the code official showing the dimensions, materials and required details of construction, including loads, stresses and anchorage. The applications shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected.

3102.4.5 Identification: Every sign for which a permit has been issued and which is hereafter erected, constructed or maintained, shall be plainly identified by the name of the person, firm or corporation owning, erecting, maintaining or operating such sign. The method and location of this identification shall appear on the construction documents filed with the code official.

3102.5 Maintenance and inspection: Sign maintenance and inspection shall comply with Sections 3102.5.1 through 3102.5.4.

3102.5.1 Removal: The code official is authorized to order the removal of any sign that is not maintained in accordance with the provisions of this section.

3102.5.2 Maintenance: All signs for which a permit is required, together with all supports, braces, guys and anchors, shall be kept in repair in accordance with the provisions of this section and Chapter 1. Where not galvanized or constructed of approved corrosion-resistant noncombustible materials, signs shall be painted.

3102.5.3 Housekeeping: The owner or lessee of every sign shall maintain the immediate premises occupied by the sign in a clean, sanitary and healthful condition.

3102.5.4 Inspection: Every sign shall be subject to inspection and approval.

3102.6 General requirements: All signs shall be designed and constructed to comply with the provisions of this code for materials, loads and stresses, and with the requirements of Sections 3102.6.1 through 3102.6.5.

3102.6.1 Wind load: All signs shall be designed and constructed to withstand wind pressure as provided for in Sections 1611.4.1 and 1611.8.

3102.6.2 Earthquake load: Signs designed to withstand wind pressures shall be considered capable of withstanding earthquake loads, except as provided for in Sections 1612.0 and 1616.0.

3102.6.3 Illumination: A sign shall not be illuminated by other than electrical means, and electrical devices and wiring shall be installed in accordance with the requirements of NFPA 70 listed in Chapter 35. Any open spark or flame shall not be used for display purposes unless specifically approved.

3102.6.4 Use of combustibles: The requirements of Sections 3102.6.4.1 and 3102.6.4.2 shall apply to combustible material for signs.

3102.6.4.1 Ornamental features: Wood or approved plastic as provided for in Chapter 26, or other materials of combustible characteristics similar to wood, used for moldings, cappings, nailing blocks, letters and latticing, shall comply with Section 3102.7, and shall not be used for other ornamental features of signs, unless approved.

3102.6.4.2 Internally illuminated signs: Except as provided for in Section 402.14, where internally illuminated sign facings of wood or approved combustible plastic, the area of such facing section shall not be more than 120 square feet (11.16 m²) and the wiring for electric lighting shall be entirely enclosed in the sign cabinet with a clearance of not less than 2 inches (51 mm) from the facing material. The dimensional limitations of 120 square feet (11.16 m²) shall not apply to sign facing sections made from flame resistant coated fabric (ordinarily known as "flexible sign face plastic") that weighs less than 20 ounces per square yard (678 g/m²) and which, when tested in accordance with NFPA 701 listed in Chapter 35, meets the requirements of both the small-scale test and the large-scale test, or which, when tested in accordance with the requirements of ASTM D568 listed in Chapter 35, exhibits an average burn time for ten specimens of 2 seconds or less and burning extent of 15 centimeters or less.

3102.6.5 Animated devices: Signs that contain moving sections or ornaments shall have fail-safe provisions to prevent the section or ornament from releasing and falling or shifting its center of gravity more than 15 inches (381 mm). The fail-safe device shall be in addition to the mechanism and the mechanism's housing which operate the movable section or ornament. The fail-safe device shall be capable of supporting the full dead weight of the section or ornament when the moving mechanism releases.

3102.7 Ground signs: The structural frame of ground signs shall not be erected of combustible materials to a height of more than 35 feet (10668 mm) above the ground. In all locations, where constructed entirely of noncombustible material, ground signs shall not be erected to a height of greater than 100 feet (30480 mm) above the ground. Greater heights are permitted where approved and located so as not to create a hazard or danger to the public.

3102.8 Roof signs: Roof signs shall comply with Sections 3102.8.1 through 3102.8.4.

3102.8.1 Materials: All roof signs shall be constructed entirely of metal or other approved noncombustible material except as provided for in Section 3102.6.4. Provisions shall be made for electric grounding of all metallic parts. Where combustible materials are permitted in letters or other ornamental features, all wiring and tubing shall be kept free and insulated therefrom.

3102.8.2 **Bottom clearance:** There shall be a clear space of not less than 6 feet (1829 mm) between the lowest part of the sign and the roof level, except for necessary structural supports.

3102.8.3 **Closed signs:** A closed roof sign shall not be erected to a height greater than 50 feet (15240 mm) above the roof of buildings of Types 1 and 2 construction, not more than 35 feet (10668 mm) above the roof of buildings of Types 3, 4 and 5 constructions.

3102.9 **Wall signs:** Wall signs shall comply with Sections 3102.9.1 and 3102.9.2.

3102.9.1 **Materials:** Wall signs which have an area exceeding 40 square feet (3.72 m²) shall be constructed of metal or other approved noncombustible material, except for nailing rails and as provided for in Section 3102.6.4.

3102.9.2 **Extensions:** Wall signs shall not be erected to extend above the top of the wall, nor to extend beyond the ends of the wall to which the signs are attached unless such signs conform to all of the requirements for roof signs, projecting signs, or ground signs.

3102.10 **Projecting signs:** Projecting signs shall comply with Sections 3102.10.1 through 3102.10.4.

3102.10.1 **Materials:** Projecting signs shall be constructed entirely of metal or other approved noncombustible material except as provided for in Section 3102.6.4.

3102.10.2 **Maximum projection:** A projecting sign shall not extend beyond a vertical plane that is 2 feet (610 mm) inside the curb line.

3102.10.3 **Clearance:** A vertical clearance of not less than 8 feet (2438 mm) shall be provided below all parts of projecting signs.

3102.10.4 **Additional loads:** Projecting sign structures which will be used to support an individual on a ladder or other servicing device whether or not specifically designed for the servicing device shall be capable of supporting the anticipated additional load, but not less than a 100 pound (45.4 kg) concentrated horizontal load and a 300 pound (136.2 kg) concentrated vertical load applied at the point of assumed or most eccentric loading. The building component to which the projecting sign is attached shall also be designed to support the additional loads.

3102.11 **Marquee signs:** Marquee signs shall comply with Sections 3102.11.1 through 3102.11.3.

3102.11.1 **Materials:** Marquee signs shall be constructed entirely of metal or other approved noncombustible material except as provided for in Section 3102.6.4.

3102.11.2 **Attachment:** Marquee signs shall be attached to approved marquees that are constructed in accordance with Section 3203.11.

3102.11.3 **Dimensions:** Marquee signs shall not project beyond the perimeter of the marquee.

3102.12 **Temporary signs:** Temporary signs shall comply with Sections 3102.12.1 through 3102.12.4.

3102.12.1 **Banner and cloth signs:** Temporary signs and banners which are attached to or suspended from a building, and which are constructed of cloth or other combustible material, shall be constructed in an approved manner and shall be securely supported. Such signs and banner shall be removed as soon as torn or damaged, and not later than 60 days after erection. Permits for temporary signs that are suspended from or attached to a canopy or marquee shall be limited to a period of ten days.

3102.12.2 **Maximum size:** Temporary signs of combustible construction shall not be more than 10 feet (3048 mm) in one dimension nor more than 500 square feet (46.5 m²) in area.

3102.12.3 **Supports:** Where more than 100 square feet (9.3 m²) in area, temporary signs and banners shall be constructed and fastened to supports that are capable of withstanding the design loads listed in Section 1610.0.

3102.12.4 **Special permits:** Temporary signs used for holidays, public demonstrations or promotions of civic welfare or charitable purposes, which extend across streets or other public spaces shall be subject to special approval of the authority having jurisdiction.

3102.13 **Illuminated signs:** Illuminated signs shall comply with Sections 3102.13.1 through 3102.13.3.

3102.13.1 **Certificates:** All electrically illuminated signs shall be certified as to electric wiring and devices by the agency having jurisdiction, and all wiring and accessory electrical equipment shall conform to the requirements of NFPA 70 listed in Chapter 35.

3102.13.2 **Additional permits:** Electrical permits shall be issued for the erection or maintenance of illuminated signs.

3102.13.3 **Relettering signs:** The requirements of this section shall not apply to the relettering of illuminated signs, except where such relettering requires a change of wiring or piping of the sign.

3102.14 **Portable signs:** Portable signs shall conform to all requirements for ground, roof, projecting, flat and temporary signs where such signs are used in a similar capacity. The requirements of this section shall not be construed to require portable signs to have connections to surfaces, tie-downs or foundations where provisions are made by temporary means or configuration of the structure to provide stability for the expected duration of the installation.

3102.14.1 **Electrical:** Portable signs that require electrical service shall have a positive connecting device on the sign. Electrical service lines to the sign shall be protected from damage from all anticipated traffic.

APPENDIX II - ZONING ORDINANCE AMENDMENT PROCESS

I. APPLICATION.

- A. The property owner or a duly authorized agent may obtain a petition form to amend the zoning ordinance from the Zoning Administrator or City Clerk;
- B. The petition shall include the following information:
 - 1. Location: Legal description and street address of property to be re-zoned.
 - 2. Name, address and phone number of property owner.
 - 3. Proposed zone change.
 - 4. Purpose of re-zoning.
- C. A detailed sketch plan SHALL be attached to the petition. The plan shall be drawn to scale and include the following information:
 - 1. A map showing the area to be re-zoned.
 - 2. The boundaries and dimensions of the tract to be re-zoned.
 - 3. Size and location of off-street parking lots (if applicable).
 - 4. Type of surfacing proposed for the parking lots (if applicable).
 - 5. A plan of the drives proposed for ingress and egress and proposed structures (if applicable).
 - 6. Names and mailing addresses of all property owners within a 300' radius of the exterior boundary of the territory included in the proposed re-zoning.
- D. A filing fee of \$400.00 shall be enclosed with the petition.
- E. The completed petition shall be filed with the City Clerk.

II. PUBLIC HEARING.

- A. A public hearing will be held by the Guymon Planning Commission. The Planning Commission regularly meets on the first Tuesday of each month.
- B. Fifteen (15) days prior to the Planning Commission meeting, a notice of public hearing will be published in the Guymon Daily Herald. The notice shall include the following information:
 - 1. Date, time and location of the public hearing.
 - 2. A map of the area to be affected with street names and landmarks.
- C. Twenty (20) days prior to the public hearing, a notice shall be sent by regular mail to all property owners within a 300' radius of the exterior boundary of the territory included in the proposed re-zoning. This notice will include the following:

1. Legal description of the property and the street address or approximate location in the city.
2. Present zoning of the property and the zoning sought by the applicant.
3. Date, time and place of the public hearing.

III. PLANNING COMMISSION MEETING.

- A. A quorum is needed to act upon a re-zoning amendment.
- B. Any protest against a proposed zoning change shall be filed with the City Clerk at least three (3) days prior to the public hearing. Only property owners within a 300' radius of the exterior boundary of the territory included in the proposed change may protest. The protest shall include the following information:
 1. The protesting property owner's name and address (printed or typed).
 2. The signature of the protesting property owner.

IV. CITY COUNCIL MEETING.

- A. The City Council shall act on recommendations by the Planning Commission for re-zoning. The City Council meets on the second and last Thursday of the month.
- B. If protest are filed by:
 1. 20% or more of the owners in the area of the lots or territory included in the proposed change, or;
 2. the owners of 50% or more of the area of the lots or territory within a 300' radius of the exterior boundary of the territory included in the proposed change;

then the proposed zoning change shall not become effective except by the favorable vote of three-fifths (3/5) of all the members of the Guymon City Council.

V. APPEAL PROCESS

- A. If the Planning commission fails to schedule a public hearing on a petition for amendment within the required twenty (20) days or fails to recommend a petition to the City Council for re-zoning, such failure shall be deemed a final determination and decision denying the petition by the Planning Commission. The final determination can be appealed by the petitioner to the City Council. The appeal is by written request by the petitioner for a hearing before the City Council. The request must be filed with the City Clerk with fifteen (15) days after the final determination of the Planning Commission.
- B. The appeal will be scheduled on the next City Council agenda. The council may or may not act upon the final determination of the Planning Commission.