

ORDINANCE NO. 2023 - 2

AN ORDINANCE OF THE TOWN OF CORN, OKLAHOMA AMENDING THE TOWN OF CORN CODE OF ORDINANCES CHAPTER 24, ESTABLISHING WARDS, BOUNDRIES AND ZONING REGULATIONS OF THE TOWN OF CORN, OKLAHOMA; AND DECLARING AN EMERGENCY

24-1-1: TITLE:

This title shall be known as and may be cited and referred to as the *WARDS, BOUNDRIES AND ZONING REGULATIONS OF THE TOWN OF CORN, OKLAHOMA*.

24-1-2: PURPOSE:

This title is enacted for the purpose of promoting the health, safety, morals, and general welfare of the community; lessening congestion in the streets; securing safety from fire, panic, and other dangers; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; conserving the value of buildings and encouraging the most appropriate use of land throughout the community; and promoting the development of the community in accordance with a comprehensive plan.

24-1-3: SCOPE:

This title shall be in full force and effect in the corporate limits of the city.

24-1-4: MINIMUM REQUIREMENTS; CONFLICTING PROVISIONS:

A. Minimum Requirements: As concerns interpretation and application, the provisions of this title shall be held to be minimum requirements.

B. Conflicting Provisions: Where this title impose a greater restriction than is imposed or required by other provisions of law or by other rules or regulations or ordinances, the provisions of this title shall control.

24-2-1: RULES OF WORD CONSTRUCTION:

Terms and words are to be used and interpreted as defined in section 24-2-2 of this chapter. 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, except where the natural construction of the writing indicates otherwise.

24-2-2: DEFINITIONS:

For the purposes of this title, certain terms used in this title are defined as follows:

ACCESSORY 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.

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

ALLEY: A minor right of way dedicated to public use not more than thirty feet (30') 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 and where no repair work is done.

AUTOMOBILE REPAIR, MAJOR: General repair, rebuilding or reconditioning 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 (1½) tons' 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.

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 between an intersecting street and a railroad right of way or between an intersecting street and a watercourse.

BOARD OF ADJUSTMENT: The board of adjustment of the town of Corn, Oklahoma, also referred to as the "board".

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

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.

BUILDING, ACCESSORY: See definition of Accessory Use Or Structure.

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 deck line 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 title.

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.

BULLETIN BOARD: Any sign announcing the activities of an educational, religious, institutional or similar use.

CEMETERY: The land used or intended to be used for the burial of the human dead and dedicated for cemetery purpose.

CHILDCARE CENTER: Any place, home or institution which receives three (3) or more children under the age of sixteen (16) years for care apart from their natural parents, legal guardians or custodians, and received for regular periods of time for compensation; provided, however, this definition shall not include public and private schools organized, operated or approved under the laws of this state, custody of children fixed by a court, children related by blood or marriage within the third degree to the custodial person, or churches or other religious or public institutions caring for children within their institutional building while their parents or legal guardians are attending services or meetings or classes and other church activities.

CITY COUNCIL: The official governing body of the town of Corn.

CITY PLANNING COMMISSION: The Corn city planning commission, as established by the statutes hereinbefore cited, also referred to as "planning commission". The city planning commission shall also be the zoning commission for the city.

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 customarily 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; also refers to the specific document, "comprehensive plan, Corn, Oklahoma".

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 as a residence of one or more persons, but not including a tent, cabin, trailer coach, mobile home, boarding or rooming house, hotel or motel.

DWELLING, MULTI-FAMILY: A building or portion thereof containing three (3) or more dwelling units and designed for or used by three (3) or more families; also includes the word "apartments".

DWELLING, SINGLE-FAMILY: A building containing one dwelling unit and designed for or used exclusively by one family.

DWELLING, TWO-FAMILY: A building containing two (2) dwelling units and designed for or used exclusively by two (2) families; also includes the word "duplex".

DWELLING UNIT: A room or group of rooms arranged, intended or designed as a habitable unit, containing kitchen, bath and sleeping facilities for not more than one family living independently of any other family.

EDUCATION: Those uses organized, established, used or intended to be used for the promotion of education of members of the public.

ESSENTIAL SERVICES: The erection, construction, alteration or maintenance by public utilities 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, sewers, 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.

FAMILY: A person living alone or two (2) or more persons related by blood or marriage, living together as a single housekeeping unit, using a single facility in a dwelling unit for culinary purposes, 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 centerlines of walls separating two (2) buildings.

FRONTAGE: The linear measurement of a lot boundary which is abutting a street.

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

GARAGE, PARKING: Any building or portion thereof used for the storage of four (4) or more automobiles in which any servicing which may be provided is incidental to the primary use for storage purposes, and where repair facilities are not provided.

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

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

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 nameplate, 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 customarily used in purely domestic or household purposes. A tearoom, restaurant, rest home, clinic,

barbershop, beauty parlor, doctor's or dentist's office, childcare center, tourist home, cabinet shop, metal shop, lawn mower repair, or auto repair garage shall not be deemed a home occupation.

HOSPITAL: See definition of Medical Facilities.

HOTEL: A building or group of buildings under one ownership containing six (6) 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 parks or camps, hospitals, asylums, orphanages, or buildings where persons are housed under restraint.

INDUSTRY: Storage, repair, manufacture, preparation or treatment of any article, substance, or 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 lumberyards 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 pawnshops 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: Includes any premises wherein any person engages in the business of boarding, breeding, letting for hire, training for a fee, or selling dogs or cats. "Kennel" includes any place where more than one litter of puppies or kittens, born to different female dogs or cats, are kept on any lot or premises or kept in any structure whether or not for a business purpose. "Kennel" also includes any place where more than ten (10) dogs, cats, or combination of dogs and cats are kept on any lot or premises or kept in any structure whether or not for a business purpose.

LOADING SPACE: A space on the same lot as the principal use, of at least ten feet (10') in width and thirty feet (30') in length and having a vertical clearance of at least fourteen feet (14'), designated for the temporary parking of commercial vehicles 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 title, and having access on a public street.

LOT, CORNER: A lot which has at least two (2) adjacent sides abutting on a street; provided, that the interior angle at the intersection of such two (2) 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: A lot other than a corner lot.

LOT LINE: Any boundary of a lot.

LOT LINE, FRONT: The boundary of a lot which abuts a public street. Where the lot abuts more than one street, the owner may select the front lot line.

LOT LINE, REAR: The boundary of a lot which is most distant from and most nearly parallel to the front lot line.

LOT LINE, SIDE: Any boundary of a lot which is not a front lot line or a rear lot line.

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

LOTS OF RECORD: A separate and distinct parcel designated on a legally recorded subdivision plat or a legally recorded deed filed in the records of the county.

MEAN LOT ELEVATION: The average elevation of a lot.

MEDICAL FACILITIES:

Convalescent Home: Also, a nursing home; a rest home; or 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.

Dental Or Doctor's Office: The same as "dental or medical clinic", defined herein, including the various dental and medical specialties.

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 and except as provided in this code.

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, outpatient departments, training facilities, central service facilities, and staff offices which are an integral part of the facilities.

Nursing, Rest or Convalescent Homes: See definition of Medical Facilities: Convalescent Home.

Public Health Center: A facility primarily utilized by a health unit for providing health services, including related facilities.

MOBILE HOME: A detached residential dwelling unit designed for transportation, after fabrication, on streets or highways on its own wheels or on flatbeds or other trailers, and arriving at the site where it is to be occupied as a dwelling, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, and connection to utilities.

MOBILE HOME LOT: A portion of a mobile home park allocated to the exclusive use of the occupants of a single mobile home.

MOBILE HOME PARK: A parcel of land under single ownership which has been planned and improved for placement of mobile homes to be occupied as residences.

MOTEL: An area containing one or more buildings designed or intended to be used as temporary sleeping facilities of one or more transient persons.

OPEN SPACE: An 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: See definition of Lot.

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.

PLANNING COMMISSION: See definition of City Planning Commission.

ROOMING HOUSE: See definition of Boarding House And Rooming House.

SIGN: Any word, lettering, part of letters, figures, numerals, phrases, sentences, emblems, devices, designs, pictures, trade names or trademarks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, a service, a commodity or a product which is visible from any public street or right of way and designed to attract attention. "For Sale" and "For Rent" shall be deemed signs within the meaning of this definition, but the term "sign" shall not include the flag, pennant, or insignia of any nation, state, city, or other political, educational, charitable, philanthropic, civic, professional, religious, or like campaign, drive, movement, or event used for a public purpose in the public interest.

SIGN, DISPLAY SURFACE AREA: The net geometric area of the surface of the sign upon, against or through which the message is displayed or illustrated, including the outward extremities of all letters, figures, characters and delineations; provided, that only one face of a double-faced sign shall be included in the computation of display surface area.

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: A sign of temporary nature used to advertise the premises for sale, rent, or lease.

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 is no floor above it, then the space between the floor and the ceiling next above it.

STREET: A public right of way more than thirty feet (30') in width which provides the primary public means of access to abutting property and used primarily for vehicular circulation.

STREET, ARTERIAL: Any street designated on the thoroughfare plan as an arterial, primary arterial, secondary arterial, major street, etc.

STREET, MINOR: Any street not designated on the thoroughfare plan as an arterial.

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, driveways and similar improvement areas).

THOROUGHFARE PLAN: The part of the comprehensive plan referring to transportation development goals, principles, and standards; also includes use of the words "major street plan" and "trafficways plan".

TRAILER: A portable or mobile unit, other than a mobile home, used or designed to carry or transport material or animals.

YARD: A required space on a lot unobstructed except as expressly permitted.

YARD, FRONT: A yard extending across the full width of a lot from side lot line to side lot line abutting on a street, into 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.

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

24-3-1: ENFORCEMENT OFFICIAL:

It shall be the duty of the zoning board to enforce this title. If the zoning administrator shall find that any of the provisions of this title are being violated, it shall notify in writing the persons responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it, and shall take such other action as is authorized by law to ensure compliance with or to prevent violation of said provisions.

24-3-2: ZONING CLEARANCE PERMIT:

A. Definition: The "zoning clearance permit" is a permit issued by the zoning administrator which states that a particular development meets all of the requirements of this title. It is not a building permit and does not authorize construction; it certifies that the land or structure is in conformance with the terms of this title.

B. Permit Required: 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 being issued authorizing such construction, alteration, repair, or use changes as being in compliance with the provisions of this title. No building permit shall be issued for any construction not conforming to a valid zoning clearance permit.

C. Application For Permit; Grant Or Denial:

1. 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 the application shall state the location and legal description of the property and set out in detail the character and nature of the use to be conducted thereon. Within a reasonable time frame set by policy, the zoning administrator shall grant or deny the zoning clearance permit in accordance with the terms of this title.

2. All applications for zoning clearance permits shall be accompanied by a plan, on suitable paper, showing the actual dimensions of the lot to be built upon, the size and location of the building to be erected, and/or such other information as may be necessary to satisfy the requirements of this title.

D. Permit Fee: Zoning clearance permits shall not be issued until a fee as set by the city council shall have been paid.

24-3-3: AMENDMENTS:

A. Planning Commission Recommendation Required: The regulations, restrictions, prohibitions and limitations imposed and the districts created may from time to time be amended, supplemented, changed, modified or repealed by ordinance, but no change shall be made until the planning commission, after notice and public hearing, files with the city council a report and recommendation on the proposed change.

B. Application For Amendment; Fee: An owner or his duly authorized agent or representative may make application for the amendment of the zoning restrictions applicable to his property by filing with the planning commission a written application in such form and content as the planning commission may, by resolution, establish. An application for amendment shall be accompanied by the payment of the fee set by council by motion or resolution. Costs of notice and posting shall be billed to the applicant.

C. Notices And Public Hearing: Upon receipt of an application, the planning commission shall set a date for public hearing not less than twenty (20) days nor more than sixty (60) days from the date of filing. Fifteen (15) days' notice of the public hearing shall be given by the planning commission by publication in a newspaper of general circulation in the city. Additional notice shall be given by the posting of a sign or signs on the property.

D. Planning Commission Action:

1. After notice and public hearing, the planning commission shall vote to:
 - a. Recommend to the city council that the application be approved as submitted, or as amended, or be approved subject to modification; or
 - b. Recommend to the city council that the application be denied;
2. An application recommended for approval or approval subject to modification shall be transmitted to the city council with the report and recommendation of the planning commission within fifteen (15) days from the date of planning commission action; and
3. An application recommended for denial shall not be considered further unless the applicant, within fifteen (15) days from the date of the planning commission action, files a written request with the city council for a hearing. A fee as set by the city council shall accompany the request for a hearing before the city. Upon notice of such request, the planning commission shall forthwith transmit the application and its report and recommendation to the city council.

E. City Council Action: The city council shall hold a hearing on each application regularly transmitted, or which has been transmitted pursuant to an appeal as provided in subsection D3 of this section. The city council shall approve the application as submitted and recommended by the planning commission, or approve the application subject to modification, or deny the application, or return the application to the city planning commission for further study.

F. Protests: If a written protest against an amendment, change or repeal of this title or any part thereof is presented, duly signed and acknowledged by the owners of twenty percent (20%) or more of the area of the lots immediately abutting the territory included in such proposed change or separated therefrom only by an alley or street, such amendment shall not be passed except by the favorable vote of three-fourths ($\frac{3}{4}$) of the city council.

24-3-4: VIOLATION; PENALTY:

A violation of this title 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 title shall be punishable for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

24-4-1: DISTRICTS ESTABLISHED:

For the purpose of this title and the promotion of public health, safety, and general welfare of the community, the following districts are hereby established for the city:

R	General residential district
M	Mixed residential and commercial district
G	General commercial district
E	Education district

24-4-2: ZONING MAP:

A. The locations and boundaries of the zoning districts shall be established by ordinance and shall be delineated and shown on a map entitled "zoning map of the town of Corn, Oklahoma", and the zoning map is hereby incorporated as a part of this title.

B. It shall be the duty of the zoning administrator to maintain an up to date official "zoning map of the town of Corn, Oklahoma" including all amendments directly adopted by the city council.

24-4-3: DETERMINATION OF DISTRICT BOUNDARIES:

The boundaries of a zoning district shall extend to a centerline of abutting streets, regardless of the legal description used in establishing such districts. In the event of uncertainty in the exact boundaries of any of the districts as shown on the zoning map, 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.

24-4-4: ZONING OF ANNEXED LAND:

Territory annexed to the corporate limits of the city subsequent to the effective date hereof shall immediately be subject to the provisions of this title and shall be deemed to be designated as a M Mixed Residential and Commercial district until altered or reclassified in the manner provided by law.

24-5-1: COMPLIANCE WITH PROVISIONS; EXCEPTIONS:

No land, building, structure, or improvement shall be used and no building, structure, or improvement shall be made, erected, constructed, moved, altered, enlarged, or rebuilt which is designed, arranged, or intended to be used or maintained for any purpose or in any manner except in accordance with the use, height, area, coverage, yard, space, and other requirements established in the district in which such land, building, structure, or improvement is located, and such use is authorized, except as provided by chapter 24 of this title.

24-5-2: INTERPRETATION OF PROVISIONS:

A. 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.

B. It is intended that this title 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; except, that one accessory residential unit may be provided for a night watchman, motel manager, or similar purpose where essential to the main use of the lot.

24-5-3: DIVISION OF LOTS:

An improved lot shall not hereafter be divided into two (2) or more lots unless all lots resulting from such division comply with all the applicable yard, space, area, parking and loading regulations of the zoning district in which located.

24-5-4: STREET FRONTAGE REQUIRED:

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

24-5-5: YARD ENCROACHMENTS:

No building, structure, or improvement shall be permitted to encroach upon or interfere with the use of required yard spaces set forth in the provisions of this title; provided, however, that surfaced parking facilities, signs, fences, and gasoline pumping service units may be permitted to occupy required yard space unless otherwise prohibited in those districts permitting such improvements; and provided, that no inoperative vehicle may be stored in the front yard of a lot in a residential district. Yard spaces include adjoining property and public right of ways, including but not limited to, streets, alleys and public or private easements.

24-5-6: SCREENING WALLS AND FENCES:

A. Specifications: When the provisions of this title require the construction of a screening wall or fence as a condition for the initiation and subsequent continuance of a use, the screening wall or fence shall:

1. Be constructed, designed, and arranged to provide visual separation of uses, irrespective of vegetation;
2. Not more than eight feet (8') in height; and
3. Be constructed with all braces and supports on the interior.

B. Maintenance Required: The screening wall or fence shall be maintained by the owner of the zoning lot containing the use requiring the construction of the screening. Failure to maintain after notice by the Zoning Administrator shall constitute an offense hereunder.

24-5-7: SEWER SERVICE REQUIRED:

No structure or use in any district shall be erected or commenced which does not have a connection to the public sewer system.

24-5-8: TRAILERS AND COMMERCIAL VEHICLES:

A. Storage And Parking In Residential Districts: 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:

1. No more than one commercial vehicle, which does not exceed one and one-half (1½) 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;
2. No more than one (1) camping or travel trailers per family living on the premises shall be permitted. The 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 as follows:
 - a. A camping or travel trailer may be occupied if it is in a mobile home park authorized under the ordinances of the Town except as provided in subsection B of this section; or

b. A travel trailer may be occupied for a period of up to seven (7) days but only with a permit from the Town. However, any permitted travel trailer shall not obstruct travel or the view of safe travel on any public road way.

B. Display In Commercial And Industrial Districts: Commercial vehicles and trailers of all types may be displayed in such Commercial Districts allowing sales of the vehicles or in such Commercial Districts allowing their manufacture; provided, however, the vehicles may not be used for dwelling purposes, either temporarily or permanently, except in a mobile home park authorized under the ordinances of the City or as otherwise allowed in this section.

24-5-9: JUNK OR SALVAGE YARDS UNLAWFUL WITHIN THE CITY LIMITS:

It shall be unlawful for any person, firm or corporation to establish, maintain, or operate within the corporate limits of the Town any automobile salvage, junk or wrecking establishment.

24-6-1: PERMITTED USES:

Within the M Mixed residential and commercial district, the following uses are permitted:

"Agriculture", as defined in section of this title.

Churches and temples.

Elementary schools, high schools, colleges; public or private.

Golf courses, but not including golf driving ranges, pitch and putt courses, or miniature golf courses.

Municipal or community recreation centers.

Parks and forest preserves not operated for profit.

Police or fire stations.

Public buildings or buildings operated in the public interest by a not-for-profit corporation, including art galleries, post offices, libraries, or museums.

Public or not for profit auditoriums, stadiums, arenas, armories, or sanatoriums.

Public or private hospitals or sanatoriums.

Public utility and service uses including electric substations, gas regulator stations, electric, gas, telegraph, telephone and water transmission metering and distribution equipment and structures, microwave relay towers, water reservoirs or pumping stations and other similar facilities.

Single-family dwellings.

Temporary buildings and uses for construction purposes only and not for dwelling purposes, nor for a period that exceeds the completion of construction.

Accessory buildings or uses incidental to the foregoing principal uses.

Any of the following uses:

Bakery shop.

Barbershop and beauty shop.

Bookstore.

Clothing or wearing apparel shops.

Dairy products store.
Delicatessen.
Drugstore.
Financial institutions.
Florist shop.
Gift shop.
Grocery shop.
Hardware store.
Jewelry shop.
Laundry and dry-cleaning pick-up stations.
Medical facility.
Office, professional or general.
Pharmacy.
Restaurants (not drive-in).
Self-service laundries.
Shoe repair shop.
Sporting goods store.
Tailor shop.
Theater.
Toy store.
Variety store.

Any of the uses permitted in this title subject to additional requirements as provided.

Accessory buildings and uses customarily incidental to the above uses; provided, that there shall be no manufacturing of products other than such as are customarily incidental to retail establishments.

Any other commercial use deemed by the zoning board to be of a similar nature to those listed above.

24-6-2: LOT AND HEIGHT REQUIREMENTS:

All lots and improvements within the M Mixed residential and commercial district shall meet the following requirements:

- A. No more than one principal building shall be placed on any one lot.
- B. Not more than two percent (2%) of the lot area shall be covered with improvements. Paved areas are not considered improvements within the meaning of this subsection.
- C. No improvement or structure shall exceed twenty-five feet (25') in height above the mean elevation of the lot.

D. All structures shall have not less than a fifty-foot (50') front yard setback.

E. All principal structures shall have not less than a thirty-foot (30') side yard setback. Accessory buildings may have side yards of not less than ten feet (10').

F. All principal structures shall have not less than a fifty-foot (50') rear yard setback. Accessory buildings may have a rear yard of not less than ten feet (10').

24-6-3: SIGNS:

No signs, posters, bulletin boards, or other similar displays shall be permitted in the A-G district except as follows:

A. One bulletin board may be erected on each street frontage of an educational, religious, institutional, or similar use requiring an announcement of its activities. The bulletin board shall not exceed twelve (12) square feet in surface area nor fifteen feet (15') in height, and illumination, if any, shall be by constant light.

B. One identification sign may be erected on each street frontage of a single-family subdivision or permitted nonresidential use. The sign shall not exceed twelve (12) square feet in surface area nor fifteen feet (15') in height, and illumination, if any, shall be by constant light.

C. A real estate sign advertising the sale, rental, or lease of the premises may be erected on each street frontage of the parcel. The sign shall not exceed forty (40) square feet in surface area nor fifteen feet (15') in height, and illumination, if any, shall be by constant light.

24-7A-1: DESCRIPTION, PURPOSE AND INTENT:

The R Residential District is established as a district in which the use of 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.

24-7A-2: PERMITTED USES:

Within the R Residential District, the following uses are permitted:

Accessory buildings which are not a part of a main building, subject to the requirements of this article.

Agricultural uses of the garden type that are not intended for commercial purposes.

Public Park or playground.

Public schools and private schools where the curriculum is similar in nature and preparation of coursework to the public schools.

24-7A-3: PERMITTED USES SUBJECT TO ADDITIONAL REQUIREMENTS:

The following uses may be permitted by the Zoning Board after a public hearing, provided they meet the requirements noted for each use in addition to applicable area regulations:

Churches; a minimum lot size of one (1) acre and arterial street frontage as shown on the thoroughfare plan.

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.

Home occupation; provided, that it is in keeping with the meaning of "home occupation" of this title.

Junior high or senior high schools; provided, that they have arterial street frontage as shown on the thoroughfare plan.

Library, provided it has arterial street frontage as shown on the thoroughfare plan.

Parking lots, provided they are within two hundred feet (200') of a commercial or industrial district.

Plant nursery; provided, that no building or structure is maintained in connection therewith and no retailing of any material is carried on upon the premises.

Temporary structures which are incidental to the construction of the main building and will be removed when the main structure is completed.

24-7A-4: LOT AND HEIGHT REQUIREMENTS:

- A. All lots shall have not less than four thousand (4,000) square feet of lot area.
- B. Each lot shall have a frontage of not less than ten feet (10').
- C. The combined floor area of all accessory buildings shall not exceed 10% of lot coverage or sixty (60%) of the primary structure, whichever is less. Easements and alleys cannot be counted for the calculation of the lot area.
- D. Improvements, structures, accessory buildings shall be limited to a height of not more than fourteen (14) feet to the top of the roof.
- E. All structures shall have not less than a ten-foot (10') front yard setback.
- F.
 1. For a single-family dwelling of one (1) story, the minimum width of the side yard shall be five feet (5') for interior lot lines and ten feet (10') for the side yard abutting the side street on a corner lot.
 2. For buildings of more than one (1) story, the minimum width of the side yard on interior lot lines shall be not less than ten feet (10').
 3. For a principal building other than a single-family dwelling, the minimum width of the side yard shall be not less than the height of the building.
- G. A rear yard of twenty percent (20%) of the depth of the lot shall be provided for the principal building. Unattached buildings of accessory uses may be located in the rear yard of a main building; provided, however, that no accessory building shall be located closer than ten feet (10') to the rear lot line.
- H. Permitted accessory buildings and accessory structures shall be located behind the front building line and shall not be located adjacent to any portion of the front yard.

24-7A-5: SIGNS AND BILLBOARDS:

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

- A. A temporary bulletin board or sign not exceeding twelve (12) square feet in area pertaining to the lease, hire or sale of a building or premises, which board or sign shall be removed as soon as the premises is leased, hired or sold.
- B. One (1) bulletin board may be erected on each street frontage of an educational, religious, institutional or similar use requiring announcement of its activities. The bulletin board shall not exceed

twelve (12) square feet in surface area nor fifteen feet (15') in height, and illumination, if any, shall be by constant light.

C. Official public notices may be erected on affected property.

D. One (1) nonilluminated nameplate 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.

The R 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 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 the district. It is further intended to discourage any use which would generate traffic to 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 character or size, would create additional requirements and costs for public services which would be in excess of such requirements and costs if the district were developed solely for multi-family or other similar residential uses.

24-8A-1: INTENT:

The G General commercial district is intended for a unified grouping in one 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.

24-8A-2: PERMITTED USES:

Within the G General commercial district, the following uses are permitted:

Any of the following uses:

Bakery shop.

Barbershop and beauty shop.

Bookstore.

Clothing or wearing apparel shops.

Dairy products store.

Delicatessen.

Drugstore.

Financial institutions.

Florist shop.

Gift shop.

Grocery shop.

Hardware store.

Jewelry shop.

Laundry and dry-cleaning pick-up stations.

Medical facility.

Office, professional or general.

Pharmacy.

Restaurants (not drive-in).

Self-service laundries.

Shoe repair shop.

Sporting goods store.

Tailor shop.

Theater.

Toy store.

Variety store.

Building materials sales.

Commercial radio and television transmitting antenna towers and other electronic equipment requiring outdoor towers, including antenna towers for the dispatching of private messages.

Compounding, processing and blending of chemical products, but not including any materials which decompose by detonation.

General and administrative offices.

Machine shops and metal products manufacture and tool and die shops, provided they do not include any of the following equipment:

Automatic screw machines;

Drop forges; or

Riveting machines.

Mail order houses.

Manufacturing and assembling of electrical and electronic products and equipment.

Manufacturing and assembling (or any combination of such processes) of 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.

Printing and binding plants.

Research laboratories.

Warehouse and storage facilities.

Water filtration plants, pumping stations, reservoirs, and lift stations.

Any other manufacturing process or establishment except those permitted in this section.

Any of the uses permitted in this title subject to additional requirements as provided.

Accessory buildings and uses customarily incidental to the above uses; provided, that there shall be no manufacturing of products other than such as are customarily incidental to retail establishments.

Any other commercial use deemed by the zoning board to be of a similar nature to those listed above.

24-8A-3: LOT AND HEIGHT REQUIREMENTS:

A. Not more than forty percent (40%) of the lot area shall be covered with improvements. Paved areas are not considered improvements within the meaning of this subsection.

B. No improvement or structure shall exceed twenty-five feet (25') in height above the mean elevation of the lot.

C. It is intended that the grouping of buildings and parking areas be designed to protect, insofar 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 fifty feet (50');
2. On the side of a lot adjoining a residential district shall be a side yard setback of two feet (2') for each one foot (1') of height; and
3. All buildings shall be set back from the rear lot line not less than ten feet (10').

24-8A-4: BUSINESS SIGNS:

Business signs, poster boards, bulletin boards, or other similar displays in the General commercial district shall conform to the following requirements:

A. One business sign not exceeding thirty-two (32) square feet in surface area and identifying the business or activity conducted on the premises may be erected on each street frontage of the parcel. In the case of a shopping center containing a group of businesses or activities on one lot, one accessory building sign may be erected on the lot identifying the shopping center. Such accessory sign shall not exceed forty (40) square feet in area. Ground signs shall not exceed the height of the building in which the principal use is located or twenty feet (20'), whichever is lower. No business sign shall be located within fifty feet (50') of a residential district if visible from such district. Illumination, if any, shall be by constant light.

B. A real estate sign advertising the sale, rental or lease of the premises may be erected on each street frontage of the development. The sign shall not exceed sixteen feet (16') in surface area nor five feet (5') in height, and illumination, if any, shall be by constant light.

C. All signs 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, and they shall not overhang at a height of less than nine feet (9') and shall not have a maximum projection greater than seventy-two inches (72").

24-9A-1: PURPOSE:

The purpose of the E Education District is to provide a location for education and schools which do not, by their nature, create nuisances. The intent is to preserve this land for education in a location beneficial to education and to prohibit nonindustrial uses. Because of the traffic generated and other potentially objectionable influences created in this district, a buffer or setback area between this district and any other zoning district.

24-9A-2: PERMITTED USES:

Within the E Education District, the following uses are permitted:

Accessory uses incidental to and on the same zoning lot as a principal use.

Schools;

Gymnasiums;

Administrative Offices.

24-9A-3: LOT AND HEIGHT REQUIREMENTS:

- A. There are no area requirements in an E Education District.
- B. There are no lot frontage requirements in an E Education District.
- C. Not more than forty percent (40%) of the lot area shall be covered with improvements. Paved areas are not considered improvements within the meaning of this subsection.
- D. There are no height requirements in an E Education District.
- E. No structure shall be erected, commenced or maintained which has a front yard of less than fifty feet (50').
- F. When adjacent to a residential district, a side yard of fifty feet (50') or two feet (2') for each one foot (1') of height, whichever is greater, shall be provided.
- G. When adjacent to a residential district, a rear yard of fifty feet (50') or two feet (2') for each one foot (1') of height, whichever is greater, shall be provided.

24-9A-4: SIGNS AND BILLBOARDS:

All signs and billboards in the E Education District shall conform to the requirements in this section.

24-9A-5: STANDARDS:

Any use constructed, established, altered, or enlarged in the E Education District after the effective date hereof 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, either continuous or intermittent, from any operation conducted on the premises, other than that emanating from vehicular traffic, shall be detectable at any boundary line of the I-L 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 lot on which the use is located.
- E. No vibrations shall be detectable beyond the lot lines of the 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 residential district.
- G. The manufacture of flammable materials which produce explosive vapors or gases is prohibited.
- H. No outside storage of equipment or material, except equipment in daily use, shall be permitted in such a location where it can be viewed from any public street.
- I. Any operation that produces intense glare or heat shall be performed within a completely enclosed building, and exposed sources of light shall be screened so as not to be detectable beyond the lot lines.

24-10-1: PREAMBLE:

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

the intent of this title to permit these nonconformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this title to be incompatible with permitted uses in the districts involved. It is further the intent of this title 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. 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 the effective date hereof.

24-10-2: NONCONFORMING LOTS OF RECORD:

In any district in which a lot exists of record at the effective date hereof which does not conform to the size or area requirements of this title, buildings for the uses permitted in such district may be erected on such lot, notwithstanding limitations imposed by other provisions of this title; provided, that such lot is in separate ownership and not of continuous frontage with other lots in the same ownership.

24-10-3: NONCONFORMING STRUCTURES:

Where a lawful structure exists at the effective date hereof that could not be built under the terms of this title 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 means to an extent of more than fifty percent (50%) of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this title; or
- 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.

24-10-4: NONCONFORMING USES OF STRUCTURES:

If a lawful use of a structure, or of structure and premises in combination, exists at the effective date hereof that would not be allowed in the district under the terms of this title, 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 title 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;
- B. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the effective date hereof, 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; or
- 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.

24-10-5: NONCONFORMING USES OF LAND:

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

A. No such conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date hereof;

B. No such nonconforming use shall be enlarged or increased or extended to occupy a greater area of land than was occupied at the effective date hereof; or

C. If any such nonconforming use of land ceases for any reason for a period of more than thirty (30) days, any subsequent use of such land shall conform to the regulations specified by this title for the district in which such land is located.

24-10-6: CHANGES IN NONCONFORMITIES:

A nonconforming use of a structure, or of a structure and land in combination, shall not be changed unless changed to a use permitted in the district in which located; except, that the zoning board may permit a change to a more restricted nonconforming use, and such change shall be construed as an abandonment of the former permitted nonconforming use.

Passed and approved this 16 day of March, 2023.

THE TOWN OF CORN, OKLAHOMA

BY: Barbara Maraberg
MAYOR

ATTEST:

Chris Loewen

TOWN CLERK

(SEAL)

