

Appendix A

ZONING*

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***Editor's note**—Printed in this appendix is the city's zoning ordinance, being Ordinance Number 344, section I, as adopted by the Council on August 21, 1978. Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions for clarity are indicated by brackets.

State law reference—Zoning, 11 O.S. §§ 43-101 et seq., 44-101 et seq.

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- [Sec. 5.4. R-3 high density residential district.]
- [Sec. 5.5. R-4 mobile home district.]
- [Sec. 5.6. C-1 neighborhood commercial district.]
- [Sec. 5.7. C-2 central business district.]
- [Sec. 5.8. C-3 highway commercial district.]
- [Sec. 5.9. I-1 light industrial district.]
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- [Sec. 5.11. F-1 floodplain district.]
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ARTICLE I. CITATION, PURPOSE, NATURE AND APPLICATION OF ZONING ORDINANCE

Sec. 1.1. Citation.

The zoning standards contained herein, together with all subsequent amendments, have been prepared, adopted and enacted pursuant to the authority granted the City of Medford, Oklahoma, by the Oklahoma State Legislature in title 11 Oklahoma Statutes, 1979 Supplement sections 43-101 through 43-109, 44-101 through 44-110, and 45-101 through 45-105 [11 O.S. §§ 43-101—43-109, 44-101—44-110 and 45-101—45-105].

Sec. 1.2. Purpose.

The regulations contained herein are necessary to encourage the most appropriate uses of land; to maintain and stabilize the value of property; to reduce fire hazards and improve public safety, and safeguard the public health; to decrease traffic congestion and its accompanying hazards; to prevent undue concentration of population; and to create a comprehensive and stable pattern of land uses upon which to plan for transportation, water supply, sewage, schools, parks, public utilities, and other facilities. In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare.

Sec. 1.3. Nature and application.

(a) To these ends, the zoning ordinance will create zones known as zoning districts, within which various regulations will be enforced. The use regulations for each district will permit those uses which are compatible or mutually beneficial to exist together, and will exclude those uses which are not compatible. District boundaries will be made with consideration to the character of the land and its peculiar suitability for particular uses. To assure [ensure] uniformity of standards for each such district established throughout the city, each district regulation will establish permitted land, building, and structure uses, lot sizes, building height and bulk, open space, population density and other regulations which have a basis in the specific purposes set forth in the state enabling legislation.

(b) The proposed ordinance is not an ironclad constitution, but rather can be changed when necessary by action of the City Council. However, no change should be made in the adopted ordinance without careful examination and evaluation of the Medford comprehensive plan.

ARTICLE II. DEFINITIONS OF TERMS

Sec. 2.1. Interpretation of certain terms and words.

For the purpose of these regulations, certain numbers, abbreviations, terms and words used herein shall be used, interpreted and defined as hereinafter set forth. Unless the context already indicates to the contrary, words used in the present tense include the future

tense; words used in plural number include the singular; the word "herein" means "in these regulations;" a "person" includes a corporation, a partnership and an incorporated association of persons (such as a club); the word "shall" is always mandatory; the words "used" or "occupied," as applies [applied] to any land or building, shall be construed to include the words "intended, arranged or designed to be used or occupied."

Sec. 2.2. Definitions.

Abutting means having property or district lines in common; e.g., two lots are abutting if they have property lines in common.

Access means a way of approaching or entering property.

Accessory building or structure means a subordinate building or portion of the main building, the use of which is incidental to that of the dominant use of the building or premises.

Accessory use means a use customarily incidental, appropriate and subordinate to the main use of land or buildings located upon the same premises.

Addition means any construction which increases the size of a building; an addition is a form of alteration.

Agriculture means the use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the product; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. The operation of commercial feed pens, sales yards and auction yards for cattle or hogs shall be deemed an industrial and not an agricultural use.

Airport zoning means a particular set of controls intended to protect the integrity of an airport, its airspace and its environs.

Air rights means the rights to a space above a property, for development, usually for a dissimilar use.

Air space means the space above the land which might be subject to division and sale either with, or separate from, the surface.

Alley means a minor right-of-way, dedicated to public use, from which a secondary means of access to the back or side of properties abutting a street is obtained (not intended for general traffic circulation), and which may be used for public utility purposes.

Alteration means a physical change in a building, or an addition to it.

Apartment building. See *Dwelling, multifamily.*

Automobile court or motel means a combination or group of two or more detached or semi-detached or connected permanent buildings that are used to furnish overnight transient living accommodations.

Automobile wrecking and junkyard means land or buildings where waste, discarded, or salvaged materials are bought, kept, sold, stored, exchanged, packed, disassembled, or handled, including, but not limited to, scrap metal, rags, paper, hides, rubber products and products resulting from the wrecking of automobiles or other vehicles or machinery.

Basement means a level within a building having at least one-half of its height on one side below grade.

Billboard means any sign used as an outdoor display for the purpose of making anything known, the matter advertised or displayed being remote from its origin or point of sale.

Block means a parcel of land, intended to be used for development purposes, which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks, rural lands, drainage channels or boundary lines of municipalities, and not traversed by a through street.

Board of adjustment means a local quasi-judicial body, created by ordinance, whose responsibility is to hear appeals concerning the strict interpretation of the adopted zoning ordinance, and to consider requests for variances under the terms of the adopted zoning ordinance.

Boarding[house] or roominghouse means a building other than a hotel where, for compensation and by pre-arrangement for definite periods, meals, or lodging and meals, are provided for three or more, but not exceeding 12 persons.

Buffer area means that portion of a lot or tract of land set aside for open space and visual screening purposes, pursuant to applicable provisions of this ordinance, to separate different use districts, or to separate uses on one lot from uses on another lot of the same district or a different use district.

Conflicting land uses must often be separated by planting strips or other buffers.

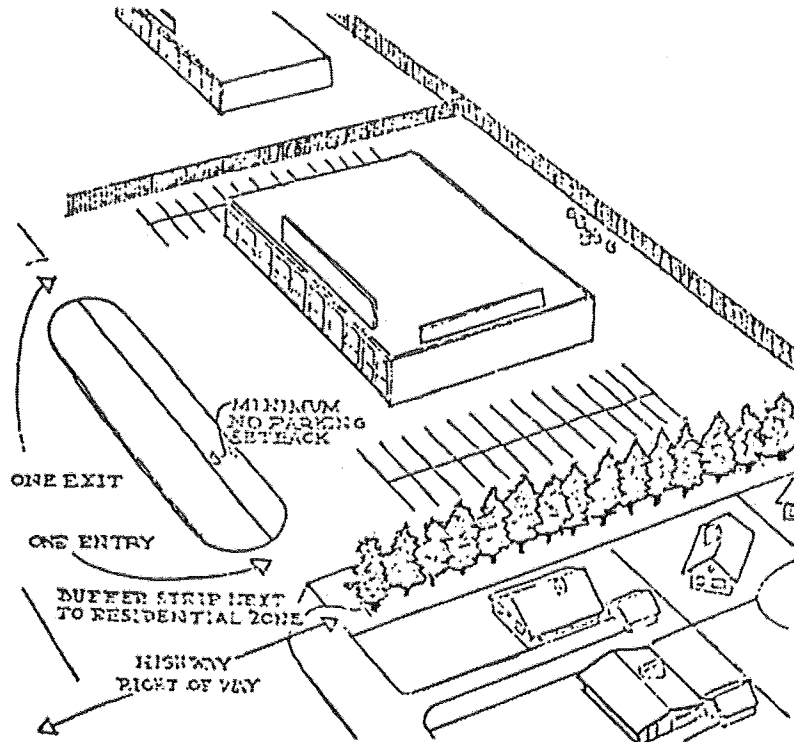


FIGURE 1. BUFFER ZONE

Building means any structure having a roof supported by columns or walls designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind.

Building code means a collection of regulations adopted by the Medford, Oklahoma, City Council setting forth standards for the construction of buildings and other structures for the purpose of protecting the health, safety and general welfare of the public.

Building coverage means the percentage of the lot area covered by the building. The building area shall include all overhanging roofs.

Building, height of, means the vertical distance from grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof or to the average height between eaves and ridge for gable, hip or gambrel roofs. (See figure 2.)

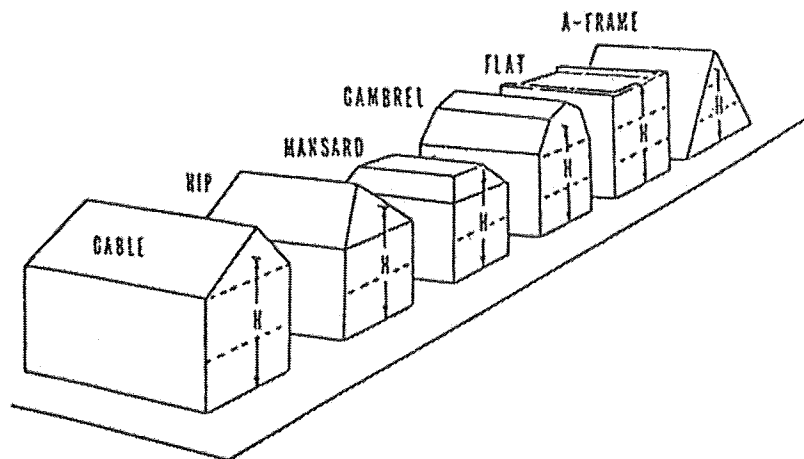


FIGURE 2. TYPES OF ROOFS

Building line means a line frequently drawn on a subdivision plat to indicate the setback distance from the lot line. (Note: This line does not necessarily coincide with the actual construction line of a building or structure; only a minimum requirement.)

Building official means the official responsible for the use and enforcement of the adopted building code of the City of Medford, Oklahoma, as well as the review and inspection official for building permit applications; the building official may also serve as the plumbing and electrical inspectors for the city.

Building permit means the permit required before construction can be initiated; building permit provisions are contained in the Code of Ordinances for the City of Medford, Oklahoma.

Building, principal or main, means a building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be a main building on the lot on which it is situated.

Building setback line means a line parallel to and a specified minimum distance from the front, side, or rear property lines (as specified), beyond which no foundation wall or part of the structure of any building projects, with the exception of roof overhang, steps, and the subsurface projection of footings.

Building site means a single parcel of land in one ownership, occupied or intended to be occupied by a building or structure.

Campground, public or private, means land or premises used or occupied for compensation by campers traveling by passenger vehicles and utilizing tents, campers, travel trailers, or other recreational vehicles.

Carport means a permanently roofed structure, open on at least two sides, designed for, or occupied by, private passenger vehicles.

Cellar means a level within a building having more than one half of its height on all sides below grade. (See figure 3.)

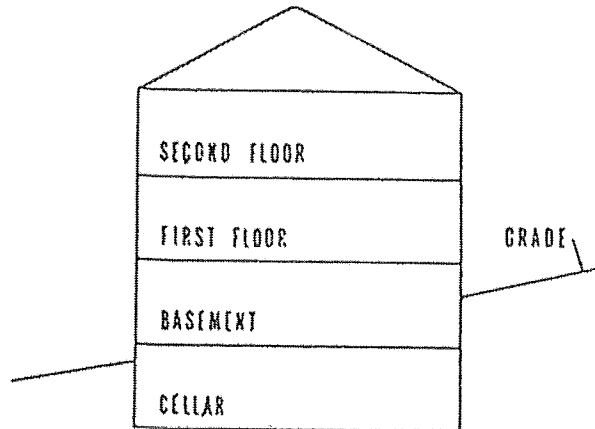


FIGURE 3. FLOOR LEVELS

Certificate of occupancy means [an] official certification that a premises conforms to provisions of the zoning ordinance and building code, and is granted as a basis for new construction or additions.

Channel means a natural or artificial watercourse of perceptible extent, with definite bed and banks, to confine and conduct continuously or periodically flowing water.

Child care or day care center means any place, home or institution which receives three or more children under the age of 16 years, and not of common parentage, for care apart from their natural parents, legal guardians or custodians, when 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 of competent jurisdiction, children related by blood or marriage within the third degree to the custodial person, or to churches or other religious or public institutions caring for children while their parents or legal guardians are attending services or meetings or classes or engaged in church activities.

City means the City of Medford, Grant County, Oklahoma.

City Council means the official governing body of the City of Medford, Oklahoma.

Clinic means a building or a portion of a building where patients are not lodged overnight, but are admitted for examination and treatment by one or more physicians or dentists practicing together.

Club, private, means a building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational, or recreational purpose but not primarily for profit or to render a service which is customarily carried on as a business.

Cluster development means a development pattern in which the uses are clustered rather than spread evenly throughout a parcel as in conventional lot-by-lot development. (Cluster development is used to preserve open space, create workable land use mixtures, and save money by building fewer streets and shorter utility lines.)

Code of Ordinances means the officially adopted Code of Ordinances of the City of Medford, Oklahoma.

Compatibility means the characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict.

Comprehensive or master plan means the officially adopted comprehensive plan or plans for the City of Medford, Oklahoma, which provide long-range development policies, plans and programs for the city and its developing areas, and which include, among other things, land use and housing elements, traffic circulation elements, and community utilities and facilities elements.

Conditional rezoning means the attachment of special conditions to a rezoning which are not spelled out in the text of the ordinance. (An example of this is to require a developer to file restrictive covenants.)

Condominium means a form of individual ownership within a multifamily building, with joint responsibility for maintenance and repairs. In a condominium, each unit is owned outright by its occupant(s), and each occupant owns a share of the land and other common property of the building.

Conversion means changing the original purpose of a building to a different use; for example, this may include a change from residential to commercial as well as a change from low density residential to higher density residential.

Cooperative housing means a multi-unit development operated by and for its occupants. Individual occupants do not own their specific housing units outright, but instead own shares in the enterprise.

Cumulative zoning means a zoning scheme that begins with the most protected land use, usually the single-family home, and permits in each other district all the uses above plus new ones, in a sort of pyramid fashion. (An example of this type of ordinance is to allow single-family uses in a heavy industrial zone.)

Dedication means the transfer of property from private to public ownership, under adopted subdivision regulations, as a condition of subdivision plat approval.

Deep lot means a lot whose depth is excessive in relation to its frontage (sometimes called "string bean" lots).

Density means the number of families, persons or housing units per acre of land.

Downzoning means a change in the zoning classification of land to a classification permitting development that is less intensive or dense (such as from multifamily to single-family, or from commercial to residential).

Drainageway means any depression below the surrounding land, serving to give direction to a regular or periodic current of water.

Drive-in restaurant means any establishment where food and/or beverages are sold to the consumer, where motor vehicle parking space is provided, and where such food and/or beverages are intended to be consumed in the motor vehicle parked upon the premises or where there is an option of consuming food in the motor vehicle or within the restaurant building.

Dwelling means any building, or portion thereof, which is used or designed for residential purposes.

Dwelling, attached, means a dwelling having any portion of each of one or more walls in common with adjoining dwellings.

Dwelling, detached, means a dwelling having open space on all sides.

Dwelling, multifamily, means a dwelling designed for occupancy by three or more families living independently of each other, exclusive of auto or trailer courts or camps, hotels or motels.

Dwelling, single-family, means a building designed to be occupied by one family.

Dwelling, two-family, means a building designed to be occupied by not more than two families (also known as a duplex).

Easement means a grant by the property owner to the public, a corporation or persons, of the use of a strip of land for specific purposes.

Energy code means a standard used to regulate the design of buildings to ensure adequate thermal resistance and low air leakage, along with the design and selection of mechanical, electrical, and illumination systems which will enable the effective use of energy in new building construction.

Exclusive use zoning means the establishment of zoning districts which tend to allow only one use or a fairly limited range of uses in each district. This type of zoning sharply contrasts [contrasts to] cumulative zoning. (See figure 4.)

An industrial zone may exclude residences and assure better planned as well as more efficient industrial development.

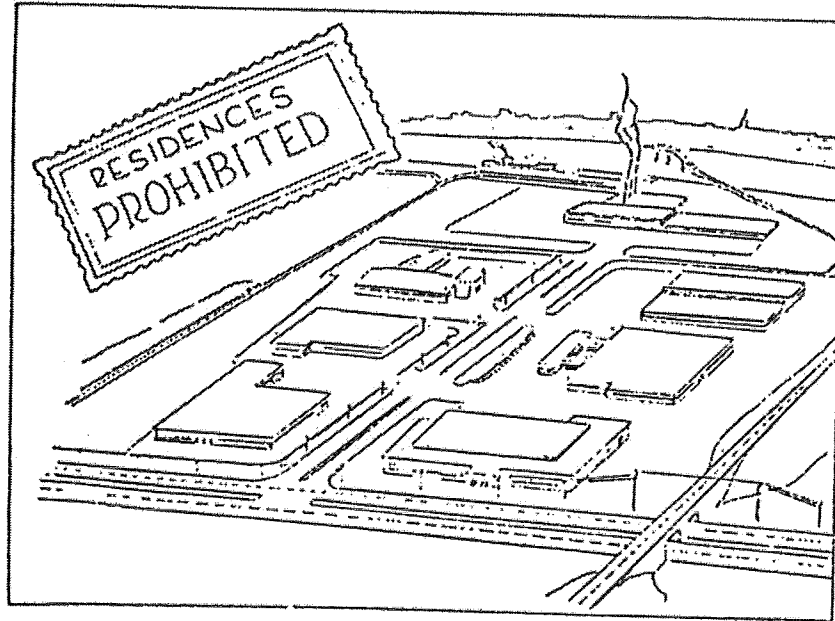


FIGURE 4. EXCLUSIVE USE ZONING

Family means one or more persons occupying a dwelling and living as a single housekeeping unit, all of whom are related to each other by birth, adoption or marriage, as distinguished from a group occupying a boardinghouse, roominghouse, or hotel as herein defined.

Floating zone means a zoning district whose requirements are fully described in the text of the zoning ordinance, but which is unmapped; the zoning district may be mapped in response to an applicant's petition for a rezoning or initial use of such zones. (Floating zones most commonly refer to varying types of planned unit development.)

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land area adjacent to stream channels, resulting from the overflow of such streams, rivers or other inland waterways.

Flood hazard area means the maximum area of the floodplain that, on the average, is likely to be flooded once every 100 years (i.e., that has a one percent chance of being flooded in any given year).

Flood hazard boundary map (FHBM) means an official map or plat of the City of Medford, Oklahoma, issued or approved by the Flood Insurance Administration, on which the boundaries of the floodplain area having special hazards have been drawn.

Flood insurance rate map (FIRM) means the official map or plat of the City of Medford, Oklahoma, issued or approved by the federal Flood Insurance Administration, on which special flood hazard zones, for insurance purposes, have been drawn.

Floodplain means the areas adjoining a river, stream or other body of water which have been or may be hereafter covered by floodwater.

Floodplain management regulations means the full range of codes, ordinances and other regulations, projects and programs relating to the use of land and construction within the limits of the floodplain; the term ["*floodplain management regulations*"] encompasses the city's adopted zoning ordinance, subdivision regulations and sanitary facilities or the contents of buildings is [in] a flood hazard area.

Floodproofing means any combination of structural and nonstructural additions, changes or adjustments to properties and structures subject to flooding, which reduces or eliminates flood damage to lands, water and sanitary facilities or the contents of buildings in a flood hazard area.

Floodway means the channel of a watercourse or drainageway and those portions of the floodplain adjoining the channel, which are reasonably required to carry and discharge the floodwaters of any watercourse or drainageway.

Floodway encroachment lines means the lines marking the limits of floodways on official federal, state and local floodplain maps.

Floodway fringe zoning district means an overlay zoning district to provide special regulations for reduction of flood losses in those areas of the floodplain, outside of the floodway, which are subject to periodic flooding and therefore require special consideration before development is permitted to occur. Requirements of this overlay district are in addition to the requirements contained in the basic, underlying zoning districts.

Floor area means the gross horizontal areas of all floors, including penthouses (but excluding such areas within a building which are used for parking) measured from the exterior faces of the exterior walls of a building. Basements and cellars shall not be included in the gross floor area.

Forestry means the science or art of cultivating, maintaining, managing and developing forests.

Frontage means that side of a lot abutting on a street or way and ordinarily regarded as the front of the lot.

Garage apartment means a dwelling unit for not more than one family, erected above a garage.

Garage, general service, means a building or portion thereof, other than a private, storage, or parking garage, designed or used for equipping, servicing, repairing, hiring, selling or incidental short-term storing of motor-driven vehicles, but excluding the storage of wrecked or junked vehicles to which repairs are not intended to be made.

Garage, private, means an accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory.

Garage, storage or parking, means a building or portion thereof designed or used exclusively for storage of motor-driven vehicles, and within which, motor fuels and oils may be sold, but no vehicles are equipped, repaired, or sold.

Gasoline, service or filling station means any area of land, including structures thereon, used for the retail sale of gasoline or oil fuels, other automobile accessories, and incidental services (but not including major repair, body work, painting or automatic washing); such stations may be located and operated in conjunction with quick-stop grocery stores and, when so located and operated, shall be considered as a gasoline station and not a grocery store.

Grade means the average level of the finished ground surface adjacent to the exterior walls of the building.

Historic structure means a structure which is listed in the National Register of Historic Places, which is certified by the Secretary of the Interior to conform to national register criteria, which has been nominated for national register status or which meets the criteria for nomination to national register status, as certified by the Medford, Oklahoma, City Council.

Home occupation means 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 non-illuminated nameplate, not more than two 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 tea room, restaurant, rest home, clinic, barbershop, beauty parlor, doctor's or dentist's office, child care center, tourist home or cabinet shop, metal shop, lawnmower repair, or auto repair garage shall not be deemed a home occupation.

Homeowners' association means an incorporated, nonprofit organization, operating under recorded land agreements, through which (1) each lot and/or homeowner in a described land area is a member; (2) each lot is subject to a charge for a proportionate share of the expenses for the organization's activities; and (3) the charge, if unpaid, becomes a lien against the property.

Hospital: See *Medical facilities*.

Hotel means a building in which lodging, or boarding and lodging, [is] provided and offered to 12 or more persons for compensation, and in which ingress and egress to and from all rooms are made through an inside lobby or office supervised by a person in charge at all hours. A hotel is open to the transient public and is differentiated from a boarding house or rooming house, which are herein defined.

Housing code means a standard used to determine whether an old or new structure is fit for human occupancy. Its purpose is to ensure maintenance and improvement of existing housing to meet accepted standards. (Also known as a "maintenance code.")

Husbandry, animal, means the raising and/or breeding of livestock.

Industry means storage, repair, manufacture, preparation or treatment of any article, substance, or any commodity for commercial use.

Institution means a public or semi-public building occupied by a nonprofit corporation or nonprofit establishment for public use.

Intensity means the degree to which land is used. (Often used synonymously with "density.")

Jurisdiction means the jurisdiction of the Medford municipal planning commission, for purposes of zoning and subdivision review, which shall include all lands within the corporate limits of the City of Medford, Oklahoma.

Kenel means any location where breeding, raising, boarding, caring for, and/or keeping of more than three dogs or cats or other small animals or combination thereof (except litters of animals not more than six months of age) is carried on for commercial purposes.

Laundromat means a laundry providing washing, drying and possibly ironing machines for hire, to be used on the premises by customers.

Loading space, off-street, means space logically and conveniently located for bulk pick-ups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in the computation of required off-street parking space.

Lot means land occupied or intended for occupancy by a use, including the yards and parking spaces required herein, and having its principal frontage upon a public street. (See figure 5.)

This illustrates the basic types of lots:

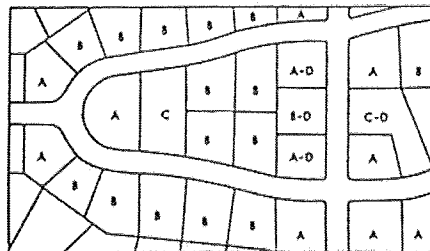


FIGURE 5. LOT

- A = Corner lot.
- B = Interior lot.
- C = Through (or double frontage) lot.
- D = Reverse frontage lot.

Lot, corner, means a lot abutting upon two or more streets at their intersection.

Lot, interior, means a lot other than a corner lot.

Lot, reverse frontage, means a double frontage lot which is designed to be developed with the rear yard abutting a major street and with the primary means of access provided on a minor street.

Lot, through (double frontage), means a lot other than a corner lot abutting two streets.

Lot area means the total horizontal area included within lot lines.

Lot depth means the average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

Lot frontage means that dimension of a lot or portion of a lot abutting on a street, except the side dimension of a corner lot.

Lot line adjustment means a relocation of the lot lines of two or more lots included in a plat which is filed of record, for the purpose of making necessary adjustments to building sites.

Lot lines means the lines bounding a lot, as defined herein.

Lot of record means a lot which is part of a subdivision, the plat of which has been recorded in the office of the county clerk of Grant County, Oklahoma, or a parcel of land described by metes and bounds, the plat or description of which has been recorded in said office. If a portion of a lot or parcel has been conveyed at the time of the adoption of this ordinance, the remaining portion of said lot or parcel shall be considered a lot of record.

Lot width means the width of the lot at the front building line measured parallel to the street right-of-way line, or, in the case of a curvilinear street, parallel to the chord of the arc between the intersection of the side lot lines and the street right-of-way.

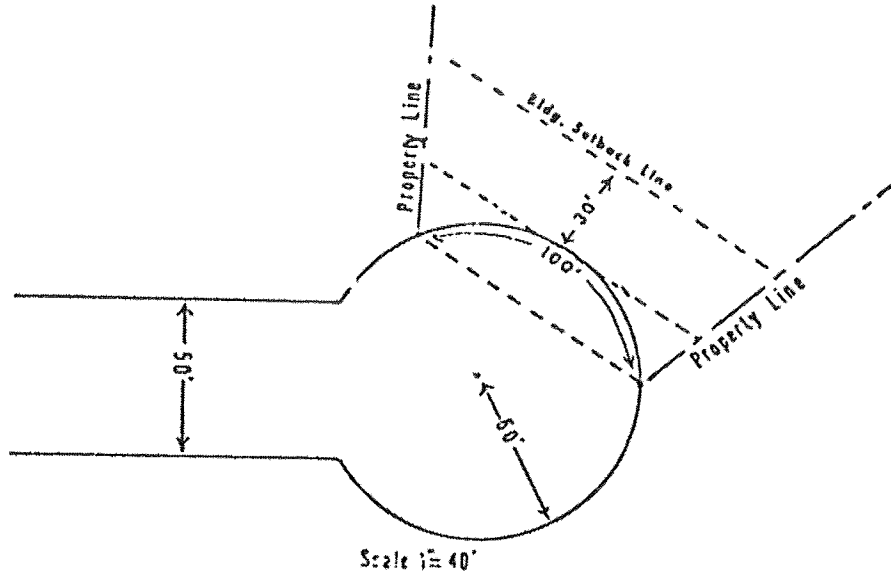


FIGURE 6. LOT WIDTH

Medical facilities. The following shall be considered medical facilities:

- (1) *Convalescent, rest or nursing home.* A health facility where persons are housed and furnished with meals and continuing nursing care for hire;
- (2) *Dental or medical offices or clinics.* A facility for the examination and treatment of ill and afflicted human outpatients; provided, however, that patients are not kept overnight except under emergency conditions;
- (3) *Hospital.* An institution providing 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;
- (4) *Public health center.* A facility primarily utilized by a health unit for the provision of public health including related facilities such as laboratories, clinics and administrative offices operated in connection therewith and including the Oklahoma State Health Department; and
- (5) *Sanatorium.* An institution providing health facilities for inpatient medical treatment or treatment and recuperation using natural therapeutic agents.

Metes and bounds means a system of describing and identifying land, by measure (metes) and direction (bounds), from an identifiable point of reference.

Mixed use zoning means zoning which permits a combination of normally separated uses within a single development, most frequently a planned development or a multilevel structure.

Mobile home means a detached, single-family dwelling unit designed for long-term occupancy; containing sleeping and living areas, a flush toilet and tub or shower bath, and kitchen facilities; equipped with plumbing and electrical connections; and designed for transportation after fabrication on streets or highways on its own wheels or on detachable wheels, arriving at the site of a complete dwelling unit and ready for occupancy after minor or incidental unpacking, assembly operations, location on jacks or other temporary or permanent foundation, connection to utilities, and the like. Removal of the wheels and placement of a foundation does not change its classification. A travel trailer is not a mobile home.

Mobile home park means an area containing two or more mobile homes or spaces for mobile homes and the necessary community and utility areas for extended occupancy or residence.

Mobile home space means a plot of ground within a mobile home park, designed for the accommodation of one mobile home.

Mobile home subdivision means a unified development of mobile home lots which has been subdivided for the purpose of individual ownership, and which is governed by the provisions of this ordinance, the city's adopted subdivision regulations and the Code of Ordinances for the City of Medford, Oklahoma.

Mobile office means a factory-fabricated structure designed to be transported on its own wheels, detachable wheels, flatbed or trailer and used or intended to be used or occupied for the transaction of business or the rendering of a professional service.

Modular home means a factory-fabricated dwelling over 32 feet in length, and at least 24 feet wide, designed and constructed without carriage or hitch collar as stationary house construction for placement upon [a] permanent foundation, to be permanently connected to utilities, for year-round occupancy. It can consist of two or more components that can be separated when transported but designed to be joined into one integral unit. Modular homes shall meet the minimum standards for house construction as specified in the Southern Standard Building Code, [and] the FHA Minimum Property Standards, and have a roof with at least a $\frac{3}{12}$ pitch.

This example shows the peak of the roof folding down and the eaves folding up:

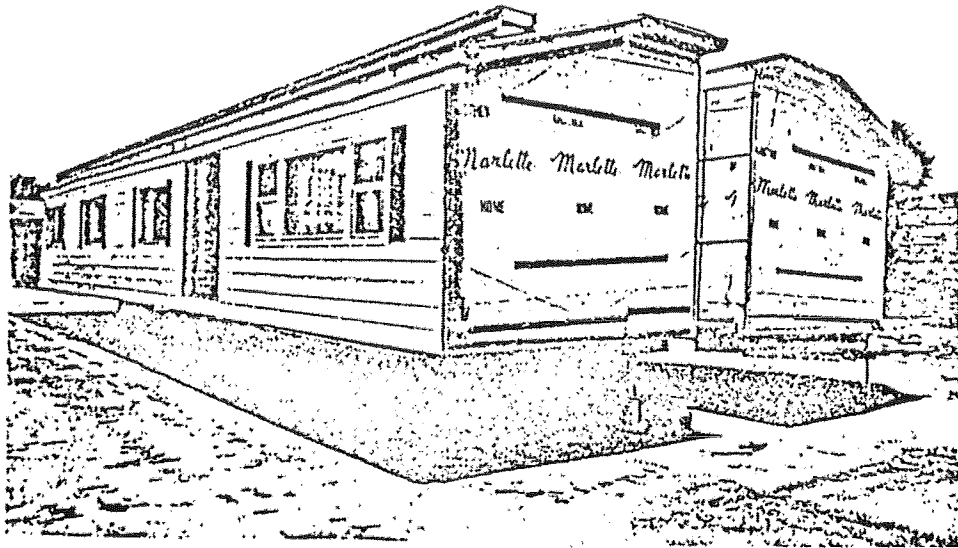


FIGURE 7. MODULAR HOME

Motel means a permanent building or group of permanent buildings in which lodging, or lodging and meals, are provided for transient guests for compensation, in which ingress and egress to and from all rooms are made primarily direct from an exterior walkway rather than from an inside lobby.

Neighborhood commercial use means a commercial establishment whose primary purpose is to provide services (of a compatible nature with surrounding residential uses) to the neighborhood within which it is located. Such uses include, but are not necessarily limited to, neighborhood grocery or convenience stores, pharmacies, barbershops and beauty salons. An alcoholic beverage package store, a bar, a gas station or a tavern shall not be considered a neighborhood commercial use.

Neighborhood planning means the preparation and implementation of plans, policies and programs at a less than city-wide level; official and formal participation in the planning and implementation process by organized groups at a less than city-wide level.

Nonconforming use and building means any building or use of a building or land which was lawful at the time of passage of this ordinance, or amendments thereto, but which use does not conform, after the passage of this ordinance or amendments thereto, with the regulations of the district in which it is situated.

Nursing home means a home for the aged or infirm in which three 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 establishments devoted primarily to the diagnosis and treatment of the sick or injured.

Official zoning districts map means the official map on which the current zoning status of all land within the corporate limits of the City of Medford, Oklahoma, is depicted, and which, along with the zoning text, comprises the zoning ordinance of the City of Medford, Oklahoma.

One-hundred-year flood means a flood of a frequency expected to occur on the average of once every 100 years, or a flood magnitude which has a one percent chance of occurring in any given year.

Open space means that portion of a lot, including yards, established pursuant to the requirements of this ordinance as open space, which is open and unobstructed from its lower level to the sky, with the exception of natural foliage or accessory recreational facilities or walkways, which is accessible to all persons occupying a building on the lot, and which is not a part of the roof of any portion of the building.

Overlay zoning district means a set of zoning district requirements that is described in the zoning ordinance text and is imposed in addition to those of the underlying zoning district; the overlay zone may or may not be immediately mapped, but must be mapped eventually in order to be utilized. Development within the overlay zone must conform to the requirements of both zoning districts, or the most restrictive.

Parcel means a lot or contiguous group of lots, in single ownership or under single control, and usually considered as a unit for purposes of development.

Parking area means an open, unoccupied space used or required for parking of vehicles exclusively, and in which no gasoline or vehicular accessories are sold or no other business is conducted.

Parking space means a space, enclosed or unenclosed, having a permanently surfaced area of not less than 200 square feet exclusive of driveways, permanently reserved for the temporary storage of one vehicle and having access to a street or alley.

Percolation test means an indicator of the suitability of an area for subsoil effluent disposal, obtained by testing for the rate at which the undisturbed soil will absorb water per unit of surface area.

Permitted use means a use by right which is specifically authorized in a particular zoning district.

Planned center, shopping, office, or industrial, means any planned concentration of at least three business establishments which also provides planned and shared parking, access, and service.

Planned unit development means a form of development usually characterized by a unified site design for a number of housing units, and incorporating such techniques as clustering structures, providing common open space, density increases and a mix of building types and land uses. This permits the planning of a project and the calculation of densities over the entire development, rather than on an individual lot-by-lot basis.

Planning commission means the municipal and/or the regional planning commission of the City of Medford, Oklahoma.

Plat means a map, generally of a subdivision, showing the location, boundaries and ownership of designated properties. Procedures and standards for plat preparation are detailed in the city's adopted subdivision regulations.

Policy means a statement or document of a public body that forms the basis for enacting legislation or making decisions.

Premises means a lot, together with all buildings and structures existing thereon.

Preservation means the process of sustaining the form and extent of a structure, essentially as it now exists. Preservation aims at halting further deterioration and providing structural stability, but does not contemplate significant rebuilding.

Principal use means the main use of land or structures, as distinguished from a secondary, or accessory use.

Private or restrictive covenant means a private legal restriction on the use of land, contained in the deed to the property, or otherwise formally recorded.

Projections into yards means parts of buildings, such as architectural features, which are exempted, to a specified amount, from the yard requirements of the zoning ordinance.

Recreational vehicle (RV) means a motor vehicle or towable trailer primarily intended for leisure activities or a temporary residence and equipped with living space and amenities found in a residence. RVs shall be parked or stored in areas zoned by the City of Medford as [the] "R-4 Mobile Home District," unless otherwise provided herein.

Rehabilitation means the process of returning a structure to a state of utility, through repair or alteration, which makes possible efficient contemporary use. In rehabilitation, those portions of the property which are important in illustrating historic, architectural and cultural values are preserved or restored.

Restoration means the process of accurately recovering the form and details of a structure, as it appeared at a particular period of time, by removing later work and by replacing missing original work.

Rezoning means an amendment to, or a change in, the zoning ordinance. Rezonings can take three forms:

- (1) A comprehensive revision or modification of the zoning ordinance text and map;
- (2) A text change in zoning district requirements; and
- (3) A change in the zoning district designation of a particular parcel or parcels, as shown on the official zoning districts map.

Right-of-way means a strip of land, occupied or intended to be occupied, by a street, crosswalk, railroad, roadway, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees or another special use.

Roadway means that portion of any street designated for vehicular traffic; where curbs are in place, that portion of the street between the curbs.

Roominghouse. See *Boardinghouse*.

Septic tank means a water-tight receptacle which receives the discharge of sewage from a building sewer, and is designed and constructed so as to permit deposition of the settleable solids from the liquid, digestion of the detention, and discharge of the liquid portion into a disposal area.

Setback means the distance between the lot line and the building line.

Setback, front yard, means the minimum horizontal distance between the street easement line (front lot line) and the main building or structure (including a garage or any projection thereof other than steps), required to create a yard extending across the front of a lot between the side lot lines. (See also *Yard, front*.)

Setback, rear yard, means the minimum horizontal distance between the rear lot line (alley easement line, if one exists) and the rear of the main building (or any projections other than eaves, steps, unenclosed balconies or unenclosed porches) required to create a yard extending across the rear of the lot and measured between side lot lines. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard. (See also *Yard, rear*.)

Setback, side yard, means the minimum horizontal distance between a side lot line and the side of the main building (or any projections thereof other than steps and two-foot eaves), required to create a side yard extending from the front lot line to the rear lot line. (See also *Yard, side*.)

Sign means a name, identification, display or illustration which is affixed to, painted or represented, directly, or indirectly, upon a building, structure, parcel or lot and which directs attention to an object, product, place, activity, person, institution, organization or business located on or off the premises. The term "sign" shall not be deemed to include official court or government notices, nor the flag, emblem, or [or] insignia of a nation, political unit, school or religion.

Site means a tract of land intended, or suitable for, development; the area upon which a building or town has been built.

Site plan means a plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved.

Solar right means a right to an unobstructed line-of-sight path from a solar collector to the sun, which permits radiation from the sun to impinge directly on the solar collector.

Special district means a zoning district established to accommodate a special set of uses or for special purposes (for example, certain types of planned districts, overlay districts or historic districts).

Spot zoning means zoning a relatively small area differently from the zoning of the surrounding area, usually for an incompatible use and to favor the owner of a particular piece or pieces of property. An exception to the inappropriateness of spot zoning is where the comprehensive plan demonstrates a special need such as for an historic area.

Story means that portion of a building included between the surface of a floor and the surface of the floor above it, or, if there is no floor above it, then the space between the floor and the ceiling.

Story, half, means a space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet above the top floor level, and in which space not more than two-thirds of the floor area is finished off for use. A half story containing independent apartment or living quarters shall be counted as a full story.

Street means a public or private right-of-way affording primary access by pedestrians and vehicles to and between properties, however designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, or place. Streets shall be classified as follows:

- (1) *Half street*. A street or road adjacent to a subdivision tract boundary where only half the required right-of-way and road improvements are provided within the proposed subdivision and the responsibility for the other half is undecided or is left to the adjacent property owner.
- (2) *Major thoroughfare or arterial*. Those streets so designated on the major thoroughfare plan of Medford, Oklahoma; and/or those streets which otherwise function to move high volumes of traffic between principal traffic generators (such as residential, commercial, and industrial sectors) at moderate speeds and with minimum conflict to movements.
- (3) *Marginal access or frontage street*. A minor street parallel and adjacent to major thoroughfare or arterial streets and which provides access to abutting properties with protection from through traffic.
- (4) *Minor or local street*. [A] street used primarily for access to the abutting properties and serving travel demands in the immediate area.
- (5) *Secondary or collector*. Those streets so designated on the major thoroughfare plan of Medford, Oklahoma; and/or those streets which otherwise function to serve local traffic movements by collecting or distributing traffic from or to local, other collector, and/or arterial streets. Such a street may also function to provide access to abutting properties in the same manner as a local street.

Street line means a dividing line between a lot, parcel or tract of land and the right-of-way of a contiguous street.

Strip zoning means a zone normally consisting of a ribbon of commercial uses fronting both sides of an arterial roadway and extending inward for half a block. This type of zoning is usually associated with unlimited highway access to such uses which severely reduces the road's carrying capacity.

Structural alterations means any change in the supporting members of a building such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

Structure means a building which is used for residential, business, agricultural, religious or other purposes, which is occupied by a private nonprofit organization, or which is owned by state or local government or an agency thereof. The term ["structure"] includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

Subdivision regulations means the officially adopted subdivision regulations for the City of Medford, Oklahoma, designed to provide standards for the subdivision of land within the jurisdictional area of the planning commission of said city.

Substantial improvement means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the actual cash value of the structure either before the improvement is started, or, if the structure has been damaged and is being restored, before the damage occurred. Substantial improvement is started when the first alteration of any structural part of the building commences.

Superblock means an unusually large block, commonly found where building clustering is permitted.

Townhouse means one of a series of two or more attached dwelling units, separated from one another by continuous vertical walls without openings, from basement floor to the roof deck, and tight against the same or through the roof, and which are intended to have ownership transferred in conjunction with a platted lot.

Toxic materials means materials (gaseous, liquid, solid, particulate, or any other form) which are capable of causing injury to living organisms by chemical reaction even when present in relatively small amounts.

Transitional uses and structures means uses or structures permitted under the zoning ordinance, which, by their nature or level and scale of activity, act as a transition or buffer between two or more incompatible uses.

Travel trailer means a motorized camper, converted bus, tent trailer or other similar vehicular or portable structure used or designed for temporary portable housing or occupancy while on [a] vacation, recreational, or other trip, and provided with sleeping accommodations.

Travel trailer park means any plot or tract of land on which two or more travel trailers are located or intended to be located, but not to include travel trailer sales or inventory areas.

Use means the purpose or activity for which a piece of land or its buildings is designed, arranged or intended, or for which it is occupied or maintained.

Use permitted on review means a use deemed appropriate in a zoning district, but only upon review of the proposed use by the planning commission to determine whether or not specified conditions, as detailed in the zoning ordinance, are met.

Used car lot means any parcel of land used for the storage, display, and sale of new and used automobiles, and where no repair work is done except the necessary reconditioning of the cars to be displayed and sold on the premises.

Variance means a device which grants a property owner relief from certain provisions of the zoning ordinance when, because of the particular physical surroundings, shape or topographic condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from an inconvenience or a desire to make more money.

Vested right means a right which has become absolute and fixed, and cannot be denied by subsequent changes in conditions or regulations; for example, there is no vested right to have a zoning district classification remain the same forever, but once construction has legally been allowed and initiated on a structure, there is a right to maintain that particular use regardless of the zoning district classification given the property.

Visibility clearance at intersections means a space, approximately triangular in shape, on a corner lot, in which nothing is permitted to be built, placed, or grown in a way that would impede visibility. Its purpose is to assure that vehicles and pedestrians have adequate and safe visibility. (See figure 8.)

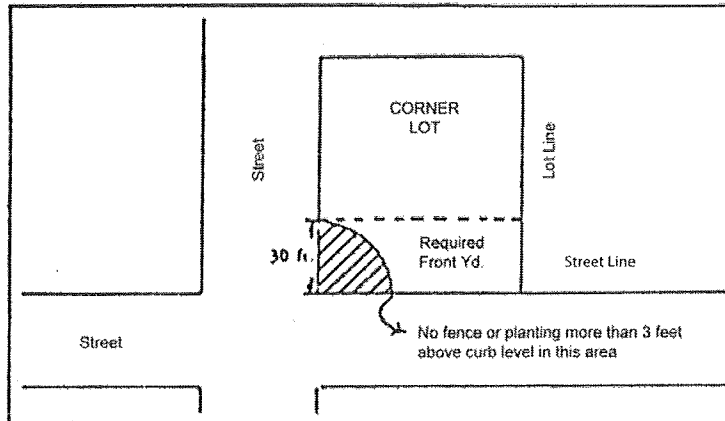


FIGURE 8. VISIBILITY CLEARANCE AT INTERSECTIONS

Yard means an open space between a building or use and the adjoining lot lines, unoccupied and unobstructed by any structure or use from the ground upward, except as otherwise provided in article VI. In measuring a yard, the depth of a front yard, or the depth of a rear yard, the minimum distance between the lot line and the main building shall be used. (See figure 9.)

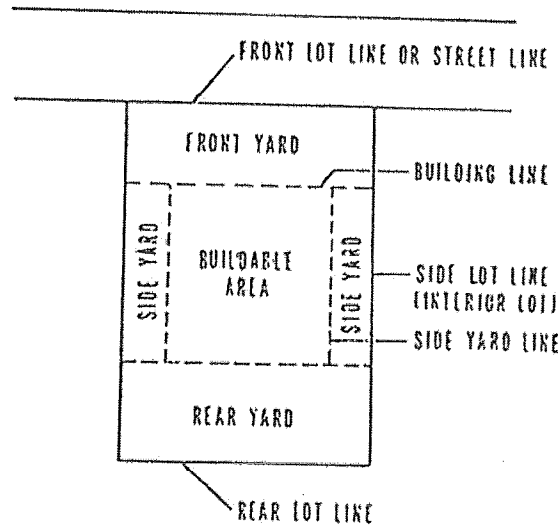


FIGURE 9. YARD OR SETBACK LINES

Yard, front, means a yard extending across the front of a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the main building.

Yard, rear, means a yard extending across the rear of a lot measured between lot lines and being the minimum horizontal distance between the rear lot line and the rear of the main building. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, side, means a yard between the building and the side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of the main building.

Zero lot line means a development approach in which a building is sited on one or more lot lines with no yard (conceivably, three of the four sides of the building could be on the lot lines), in order to allow more flexibility in site design and to increase the amount of usable open space on the lot.

Zoning administrator means the local official (normally the city manager) who administers and enforces the provisions of the zoning ordinance.

Zoning district means a delineated section or sections of Medford for which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards and the intensity of use are uniform.

Zoning ordinance means the officially adopted zoning ordinance of the City of Medford, Oklahoma.

(Ord. No. 471, § 1, 11-9-2015)

ARTICLE III. GENERAL PROVISIONS

Sec. 3.1. Use of land.

No land shall be used except for a purpose permitted in the district in which it is located.

Sec. 3.2. Location of buildings.

Every building hereafter erected, converted, enlarged, reconstructed, moved or structurally altered shall be located on a lot as herein defined, except as approved by the board of adjustment under article X.

Sec. 3.3. Use of buildings.

No building or structure shall be erected, converted, enlarged, reconstructed, moved, structurally altered or used, except for a use permitted in the district in which such building is located.

Sec. 3.4. Principal building.

No principal building shall be located on a lot which does not abut on at least one public street for at least 35 feet.

Sec. 3.5. Height of buildings.

No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered to exceed the height limit herein established for the district in which such building is located.

Sec. 3.6. Dimensional regulations.

No building or use shall be erected, converted, enlarged, reconstructed, moved, or structurally altered except in conformity with the minimum space requirements where specified in this ordinance (i.e. [e.g.], lot area, floor area, and building height, etc.) for the district in which such building is located.

Sec. 3.7. Use of yards.

The minimum yards, parking spaces and open spaces required by this ordinance for each building existing at the time of passage of this ordinance, or for any building hereafter erected or structurally altered, shall not be encroached upon or considered as part of the yard, parking space or open space required for any other structure, nor shall any lot area be reduced below the lot area per family requirements of this ordinance for the district in which such lot is located, except as otherwise provided in this ordinance.

Sec. 3.8. Off-street parking and loading.

No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered except in conformity with the off-street parking and loading regulations of article VII [VIII].

Sec. 3.9. Signs.

No sign as herein defined shall be erected, converted, enlarged, reconstructed, moved or structurally altered except in conformity with the general sign regulations of article VII.

Sec. 3.10. Accessory structures.

No permanent accessory structure shall be located until construction of the main building has actually been commenced. No accessory building shall be used unless the main building is in use.

Sec. 3.11. Requirement for building permit.

No building shall be erected, enlarged, moved or structurally altered except upon application for and issuance of a building permit by the building official.

ARTICLE IV. ZONING DISTRICTS AND BOUNDARIES

Sec. 4.1. Establishment of districts.

In order to carry out the intent and purpose of this ordinance, the city is hereby divided into the following districts:

R-A	Residential-agriculture district
R-1	Low density residential district
R-2	Medium density residential district
R-3	High density (multifamily) residential district
R-4	Mobile home district
C-1	Neighborhood commercial district
C-2	Central business district
C-3	Highway commercial district
I-1	Light industrial district
I-2	Heavy industrial district
F-1	Floodplain district
PUD	Planned unit development district

Sec. 4.2. Zoning district map.

The boundaries of zoning districts are shown upon the map designated as the "zoning district map." The zoning district map and all notations, references and other information shown thereon are a part of this ordinance and have the same force and effect as if the zoning

district map and all the notations, references and other information shown thereon were fully set forth and described herein, which zoning district map is properly attested and is on file with the city clerk.

Sec. 4.3. Interpretation of district boundaries.

Where uncertainty exists with respect to the boundaries of any of the districts as shown on the zoning map, the following rules shall apply:

- (1) Where district boundaries are indicated as approximately following the centerlines of streets or highways, street lines or highway right-of-way lines shall be construed to be such boundaries.
- (2) Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
- (3) Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, or the centerlines or right-of-way lines of highways, such scaled distance therefrom as indicated on the zoning map.
- (4) Where the boundary of a district line follows a railroad line, such boundary shall be deemed to be located on the easement line to which shall completely include or exclude the railroad easement, unless otherwise designated.

Sec. 4.4. Variation of public easements.

Whenever any street, alley, or other public easement is vacated, the district classifications of the property to which the vacated portion of land accrue shall become the classification of the vacated land.

ARTICLE V. SPECIFIC DISTRICT REGULATIONS

[Sec. 5.1. R-A residential-agriculture district.]

Sec. 5.1.1. *R-A residential-agriculture district.*

Sec. 5.1.2. *Purpose.* This district is created to encourage a compatible relationship between permitted mixed uses within the undeveloped or sparsely developed areas of Medford where growth patterns are not evident. This district is also intended for agricultural and directly related residential and commercial uses and to discourage suburban development.

Sec. 5.1.3. *Permitted uses.* The following uses are permitted in the R-A district as provided and subject to other applicable requirements of these regulations:

- (1) General agriculture on tracts of ten acres or more.
- (2) Single-family detached dwellings, including modular homes.
- (3) Public parks and recreation or play areas.

- (4) Fairgrounds or rodeo arenas.
- (5) Elementary or secondary schools.
- (6) Churches and religious temples.
- (7) Golf courses and country clubs, except miniature golf courses.
- (8) Community-wide or neighborhood meeting or recreation buildings.
- (9) Police or fire stations.
- (10) Public buildings or buildings operated in the public interest by a not-for-profit corporation, including art galleries, post offices, libraries and museums.
- (11) Public or not-for-profit auditoriums, stadiums, arenas, or armories.
- (12) Public or private hospitals.
- (13) Public or private colleges.
- (14) Produce stands, provided 50 percent or more of the products sold are grown or produced on-premises, the stand is in compliance with the front yard setback of the district, a minimum of four off-street parking spaces are available, and [the site] is properly maintained, free from trash, weeds and debris.
- (15) Temporary buildings and uses for construction purposes only and not for dwelling purposes nor for a period that exceeds the completion of construction.
- (16) Accessory buildings or uses incidental to the foregoing principal uses.
- (17) Plant nurseries.
- (18) Transportation, pipeline and utility easements and rights-of-way.
- (19) Signs, as follows:
 - a. Name plate, not larger than two square feet.
 - b. Directional sign, not larger than six square feet.
 - c. Temporary real estate sign, not larger than four square feet for a residential unit and 25 square feet for nonresidential uses.
- (20) Home occupations.
- (21) Recreational vehicles.
 - a. Each RV must be parked on a residential lot exceeding 3,499 square feet in size; only one RV per residential lot; the owner or tenant of the residential lot must be the owner of the RV;
 - b. Each RV must be parked in the backyard of the residential lot with a clearance of five feet from the rear lot line and five feet from the side lot line; the RV may be parked outside this area (not to include the street) for loading, unloading, cleaning and servicing, but not for more than 72 hours;

- c. Each RV must be parked at all times so as not to obstruct the abutting neighbor's view of the street or obstruct the public view of the streets or alleys;
- d. Each RV must be parked on a hard surface satisfactory to the City of Medford;
- e. Each RV used as a temporary residence may be occupied for a maximum term of 30 continuous days, unless such period is extended by the City of Medford, but not for more than 30 additional days; intervals of non-use during the term will not extend the term; only one term shall be allowed per calendar quarter;
- f. Each RV used as a temporary residence must connect to public water and sewer provided by the City of Medford; each residential lot owner shall pay for the utilities used by the RV at the minimum rate as if the RV was a new, separate consumer of utilities;
- g. Each RV equipped with liquefied petroleum gas shall comply with all city and state laws and regulations with respect to use of such gas; and
- h. Each RV must be currently operable, tagged and licensed so as to comply with city and state laws and regulations.

No owner or tenant of a residential lot zoned as provided in [subsections (21)a. through h.] above may charge or collect rent (or the equivalent of rent) from any RV parked or stored as permitted by [subsections (21)a. through h.] above.

Sec. 5.1.4. *Uses permitted on review.* The following uses may be permitted by the planning commission, after a public hearing, provided they meet the requirements noted for each use in addition to applicable area regulations:

- (1) Mobile homes on an individual lot.
- (2) 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.
- (3) Communication stations and towers which are no closer to a dwelling than a distance equal to one half their height and do not interfere with an airport landing strip.
- (4) Airfields, airports and landing strips.
- (5) Cemeteries or mausoleums.
- (6) Child [care] or day care centers which do not adversely alter the character of the neighborhood, and meet the county health department design and safety standards and provide adequate parking.
- (7) Riding stables or tracts of ten acres or more which meet all municipal codes.
- (8) Sanitary landfill areas, provided that refuse is covered daily with dirt; smoke, odor or blowing debris is not allowed to create a public nuisance; the operator agrees in writing to restore the site, upon conclusion of its use, to a condition compatible with the surrounding area; a gravel access road is provided; county and state health

departments approve the site; at least five parking spaces are provided; and no landfill shall be located closer than one-quarter mile to any dwelling, park, school, church or place of public assembly.

- (9) Freestanding signs not adjacent to a residential area and no larger than 50 square feet in diameter.

Sec. 5.1.5. *Area, yard, and height requirements.* Except as otherwise required above or elsewhere in these regulations, the following shall apply:

- (1) Minimum lot area: Two acres.
- (2) Minimum lot width: 150 feet.
- (3) Minimum front yard setback: 50 feet.
- (4) Minimum rear yard setback: 50 feet.
- (5) Minimum side yard setback: 30 feet.
- (6) Maximum height: Three stories not to exceed 45 feet from the average point of grade.

Sec. 5.1.6. *Off-street parking.* See article VIII.
(Ord. No. 471, § 2, 11-9-2015)

[Sec. 5.2. R-1 low density residential district.]

Sec. 5.2.1. *R-1 low density residential district.*

Sec. 5.2.2. *Purpose.* The purpose of this district is to encourage low density residential development and to protect such development from unrelated and incompatible use. It is also the purpose of this district to promote the development and continued use of the land for single-family dwellings and to prohibit commercial, industrial, 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 or neighborhood streets other than the normal traffic which serves the residents in the area. This district likewise 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.

Sec. 5.2.3. *Permitted uses.* Within the R-1 low density residential district, the following uses are permitted:

- (1) Single-family detached dwellings, including modular homes and patio homes.
- (2) Public schools and private schools where the curriculum is similar in nature and preparation of coursework to the public schools.
- (3) Public parks or playgrounds.
- (4) Public buildings and sub-fire stations.
- (5) Library.

- (6) Parking lots required to serve the uses permitted in this district.
- (7) Temporary structures which are incidental to the construction of the main building and will be removed when the main structure is completed.
- (8) Accessory buildings or uses incidental to the foregoing principal uses.
- (9) Transportation and utility easements and rights-of-way.
- (10) Signs, as follows:
 - a. Name plate, not larger than two square feet.
 - b. Directional sign, not larger than six square feet.
 - c. Church bulletin, not larger than 12 square feet.
 - d. Institution identification, not larger than 12 square feet.
- (11) Recreational vehicles.
 - a. Each RV must be parked on a residential lot exceeding 3,499 square feet in size; only one RV per residential lot; the owner or tenant of the residential lot must be the owner of the RV;
 - b. Each RV must be parked in the backyard of the residential lot with a clearance of five feet from the rear lot line and five feet from the side lot line; the RV may be parked outside this area (not to include the street) for loading, unloading, cleaning and servicing, but not for more than 72 hours;
 - c. Each RV must be parked at all times so as not to obstruct the abutting neighbor's view of the street or obstruct the public view of the streets or alleys;
 - d. Each RV must be parked on a hard surface satisfactory to the City of Medford;
 - e. Each RV used as a temporary residence may be occupied for a maximum term of 30 continuous days unless such period is extended by the City of Medford, but not for more than 30 additional days; intervals of non-use during the term will not extend the term; only one term shall be allowed per calendar quarter;
 - f. Each RV used as a temporary residence must connect to public water and sewer provided by the City of Medford; each residential lot owner shall pay for the utilities used by the RV at the minimum rate as if the RV was a new, separate consumer of utilities;
 - g. Each RV equipped with liquefied petroleum gas shall comply with all city and state laws and regulations with respect to use of such gas; and
 - h. Each RV must be currently operable, tagged and licensed so as to comply with city and state laws and regulations.

No owner or tenant of a residential lot zoned as provided in [subsections (11)a. through h.] above may charge or collect rent (or the equivalent of rent) from any RV parked or stored as permitted by [subsections (11)a. through h.] above.

Sec. 5.2.4. *Uses permitted on review.* The following uses may be permitted by the planning commission, after a public hearing, provided they meet the requirements noted for each use in addition to applicable area regulations:

- (1) Churches with a minimum lot size of one-half acre and [which] meet the off-street parking requirements.
- (2) Home occupations.
- (3) Parking lots required to serve uses in an abutting commercial or industrial district, provided they are within 200 feet of said commercial or industrial district.
- (4) Home beauty shop located in a dwelling, provided such shop is conducted within the main dwelling and is operated only by the inhabitants thereof and does not exceed one operator. The use shall be conducted in such a way that it is clearly incidental to the dwelling use and shall not change the character thereof. No sign shall be permitted except one non-illuminated name plate not exceeding two square feet in area attached to the main building. Access to the home beauty shop from the outside shall be through the same entrance that normally serves the residential parts of the main or accessory building and no display of products shall be visible from the street.
- (5) Public utility substations.
- (6) Chapter 8, article VII, of [the] Medford Code of Ordinances.

Sec. 5.2.5. *Area, yard and height requirements.* Except as otherwise required above or elsewhere in these regulations, the following shall apply:

- (1) Minimum lot area: 7,200 square feet.
- (2) Minimum lot width: 60 feet.
- (3) Minimum front yard setback: 25 feet.
- (4) Minimum rear yard setback: 20 feet. For patio homes setback: 15 feet.
- (5) Minimum side yard setback: five feet for one-story structures and eight feet for two-story structures. For patio homes setback: Three feet.
- (6) Maximum height: 2½ stories not to exceed 35 feet from the average point of grade.

Sec. 5.2.6. *Off-street parking.* See article VIII.
(Ord. No. 471, § 2, 11-9-2015)

[Sec. 5.3. R-2 medium density residential district.]

Sec. 5.3.1. *R-2 medium density residential district.*

Sec. 5.3.2. *Purpose.* This is a residential district to provide for a slightly higher population density but with basic restrictions similar to the R-1 district. The principal use of land is for single-family and two-family dwellings and related recreational, religious and educational facilities normally required to provide a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses

not performing a function necessary to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through the consideration of the proper functional relationship and arrangement of each element.

Sec. 5.3.3. *Permitted uses.* The following uses are permitted in the R-2 district as provided and subject to other applicable requirements of these regulations:

- (1) Any use permitted in the R-1 district.
- (2) Two-family dwellings.
- (3) Single-family dwellings and garage apartments.
- (4) Public buildings and utilities (but not storage, construction maintenance or repair yards or buildings).
- (5) Churches with a minimum lot size of one-half acre and [which] meet the off-street parking requirements.
- (6) Accessory buildings or uses incidental to the foregoing principal uses.
- (7) Patio homes.
- (8) Recreational vehicles.
 - a. Each RV must be parked on a residential lot exceeding 3,499 square feet in size; only one RV per residential lot; the owner or tenant of the residential lot must be the owner of the RV;
 - b. Each RV must be parked in the backyard of the residential lot with a clearance of five feet from the rear lot line and five feet from the side lot line; the RV may be parked outside this area (not to include the street) for loading, unloading, cleaning and servicing, but not for more than 72 hours;
 - c. Each RV must be parked at all times so as not to obstruct the abutting neighbor's view of the street or obstruct the public view of the streets or alleys;
 - d. Each RV must be parked on a hard surface satisfactory to the City of Medford;
 - e. Each RV used as a temporary residence may be occupied for a maximum term of 30 continuous days unless such period is extended by the City of Medford, but not for more than 30 additional days; intervals of non-use during the term will not extend the term; only one term shall be allowed per calendar quarter;
 - f. Each RV used as a temporary residence must connect to public water and sewer provided by the City of Medford; each residential lot owner shall pay for the utilities used by the RV at the minimum rate as if the RV was a new, separate consumer of utilities;
 - g. Each RV equipped with liquefied petroleum gas shall comply with all city and state laws and regulations with respect to use of such gas; and

- h. Each RV must be currently operable, tagged and licensed so as to comply with city and state laws and regulations.

No owner or tenant of a residential lot zoned as provided in [subsections (8)a. through h.] above may charge or collect rent (or the equivalent of rent) from any RV parked or stored as permitted by [subsections (8)a. through h.] above.

Sec. 5.3.4. *Uses permitted on review.* The following uses may be permitted by the planning commission after a public hearing, provided they meet the requirements noted for each use, in addition to applicable area regulations:

- (1) Any use permitted on review in the R-1 district.
- (2) Nursing and convalescent homes and hospitals that are located on at least a one-acre site and meet the off-street parking requirements in article VIII.
- (3) Medical clinics and facilities that are located on at least a one-acre site, meet the off-street parking requirements, and do not exceed 1½ stories in height.
- (4) Child care centers as provided for in the residential-agriculture (R-A) district.
- (5) Public utility substations.

Sec. 5.3.5. *Area, yard, and height requirements.* Except as otherwise required above or elsewhere in these regulation[s], the following shall apply:

- (1) Minimum lot area:
 - Single-family dwelling: 6,000 square feet.
 - Two-family dwelling: 10,000 square feet.
- (2) Minimum lot width: 50 feet.
- (3) Minimum front yard setback: 25 feet.
- (4) Minimum rear yard setback: 20 feet.
- (5) Minimum side yard setback: five feet for one-story structures and eight feet for two-story structures.
- (6) Maximum height: 2½ stories not to exceed 35 feet from the average point of grade.

Sec. 5.3.6. *Off-street parking.* See article VIII.
(Ord. No. 471, § 2, 11-9-2015)

[Sec. 5.4. R-3 high density residential district.]

Sec. 5.4.1. *R-3 high density residential district.*

Sec. 5.4.2. *Purpose.* This residential district is intended to provide for multiple-family developments which may have a relatively intense concentration of dwelling units served by large open spaces, including common areas and facilities, thereby resulting in gross densities

of approximately 16 units per acre. The principal use of land may be for one or several dwelling types ranging from single-family to low-rise multiple-family dwellings, and including garden apartments, condominiums and townhouses.

Sec. 5.4.3. *Permitted uses.* The following uses are permitted in the R-3 district as provided and subject to other applicable requirements of these regulations:

- (1) Any use permitted in the R-2 district.
- (2) Multifamily dwellings.
- (3) Townhouses, not to exceed eight units per building.
- (4) Condominiums.
- (5) Rooming[houses] or boardinghouses.
- (6) Accessory buildings or uses incidental to the foregoing principal uses.
- (7) Nursing or convalescent homes.
- (8) Recreational vehicles.
 - a. Each RV must be parked on a residential lot exceeding 3,499 square feet in size; only one RV per residential lot; the owner or tenant of the residential lot must be the owner of the RV;
 - b. Each RV must be parked in the backyard of the residential lot with a clearance of five feet from the rear lot line and five feet from the side lot line; the RV may be parked outside this area (not to include the street) for loading, unloading, cleaning and servicing, but not for more than 72 hours;
 - c. Each RV must be parked at all times so as not to obstruct the abutting neighbor's view of the street or obstruct the public view of the streets or alleys;
 - d. Each RV must be parked on a hard surface satisfactory to the City of Medford;
 - e. Each RV used as a temporary residence may be occupied for a maximum term of 30 continuous days unless such period is extended by the City of Medford, but not for more than 30 additional days; intervals of non-use during the term will not extend the term; only one term shall be allowed per calendar quarter;
 - f. Each RV used as a temporary residence must connect to public water and sewer provided by the City of Medford; each residential lot owner shall pay for the utilities used by the RV at the minimum rate as if the RV was a new, separate consumer of utilities;
 - g. Each RV equipped with liquefied petroleum gas shall comply with all city and state laws and regulations with respect to use of such gas; and
 - h. Each RV must be currently operable, tagged and licensed so as to comply with city and state laws and regulations.

No owner or tenant of a residential lot zoned as provided in [subsections (8)a. through h.] above may charge or collect rent (or the equivalent of rent) from any RV parked or stored as permitted by [subsections (8)a. through h.] above.

Sec. 5.4.4. *Uses permitted on review.* The following uses may be permitted by the planning commission after a public hearing, provided they meet the requirements noted for each use in addition to applicable area regulations:

- (1) Any use permitted on review in the R-1 and R-2 districts.
- (2) Mobile homes on individual lots.

Sec. 5.4.5. *Area, yard, and height requirements.* Except as otherwise required above or elsewhere in these regulation[s], the following shall apply:

- (1) Minimum lot area:

Single-family dwelling and mobile homes: 6,000 square feet.

Two-family dwelling: 10,000 square feet.

Townhouse: 4,000 square feet (per unit).

Multifamily dwelling: 10,000 square feet and an additional 2,000 square feet for each dwelling unit more than three which is located in the dwelling.

- (2) Minimum lot width:

Single-family dwelling: 50 feet.

Two-family dwelling: 50 feet.

Townhouse: 50 feet.

Multifamily dwelling: 60 feet.

- (3) Minimum front yard setback: 25 feet.
- (4) Minimum rear yard setback: 20 feet.
- (5) Minimum side yard setback: Five feet for one-story structures and eight feet for more than one-story structures.
- (6) Maximum height: 2½ stories not to exceed 35 feet from the average point of grade.

Sec. 5.4.6. *Off-street parking.* See article VIII.

(Ord. No. 471, § 2, 11-9-2015)

[Sec. 5.5. R-4 mobile home district.]

Sec. 5.5.1. *R-4 mobile home district.*

Sec. 5.5.2. *Purpose.* This district is intended to provide for the appropriate, safe, sanitary and attractive location of mobile homes on individual lots or in mobile home parks.

Sec. 5.5.3. *Permitted uses.* The following uses are permitted in the R-4 district as provided and subject to other applicable requirements of these regulations:

- (1) All uses permitted under R-3.

- (2) Mobile homes on individual lots (either for sale or for rent).
- (3) Mobile home parks.
- (4) Parks and recreational facilities.
- (5) Churches or religious temples.
- (6) Schools.
- (7) Neighborhood buildings.
- (8) Accessory buildings and uses customarily incidental to any of the above uses.
- (9) Signs provided for in the R-1 and R-2 districts.
- (10) Recreational vehicles.
 - a. Each RV must be parked on a residential lot exceeding 3,499 square feet in size; only one RV per residential lot; the owner or tenant of the residential lot must be the owner of the RV;
 - b. Each RV must be parked in the backyard of the residential lot with a clearance of five feet from the rear lot line and five feet from the side lot line; the RV may be parked outside this area (not to include the street) for loading, unloading, cleaning and servicing, but not for more than 72 hours;
 - c. Each RV must be parked at all times so as not to obstruct the abutting neighbor's view of the street or obstruct the public view of the streets or alleys;
 - d. Each RV must be parked on a hard surface satisfactory to the City of Medford;
 - e. Each RV used as a temporary residence may be occupied for a maximum term of 30 continuous days unless such period is extended by the City of Medford, but not for more than 30 additional days; intervals of non-use during the term will not extend the term; only one term shall be allowed per calendar quarter;
 - f. Each RV used as a temporary residence must connect to public water and sewer provided by the City of Medford; each residential lot owner shall pay for the utilities used by the RV at the minimum rate as if the RV was a new, separate consumer of utilities;
 - g. Each RV equipped with liquefied petroleum gas shall comply with all city and state laws and regulations with respect to use of such gas; and
 - h. Each RV must be currently operable, tagged and licensed so as to comply with city and state laws and regulations.

No owner or tenant of a residential lot zoned as provided in [subsections (10)a. through h.] above may charge or collect rent (or the equivalent of rent) from any RV parked or stored as permitted by [subsections (10)a. through h.] above.

Sec. 5.5.4. *Area, yard and height requirements.* Except as otherwise required above or elsewhere in the regulations, the following shall apply:

- (1) Single-family, two-family, townhouses and multifamily dwellings shall comply with R-3 district requirements.
- (2) Minimum lot area: 4,000 square feet.
- (3) Minimum lot width:
 - Individual mobile home: 40 feet.
 - Mobile home in a mobile home park: 30 feet.
- (4) Minimum front yard setback:
 - Individual mobile home: 20 feet.
 - Mobile home in [a] mobile home park: Ten feet.
- (5) Minimum rear yard setback:
 - Individual mobile home: Ten feet.
 - Mobile home in [a] mobile home park: Five feet.
- (6) Minimum side yard setback: Five feet.
- (7) Maximum height: 20 feet.

Sec. 5.5.5. *Special requirements.*

- (1) All mobile home parks and subdivisions shall be developed in accordance with all applicable provisions of the City of Medford, Oklahoma, Code of Ordinances, in particular chapter 4, article 3, [now chapter 5, article VII] of said Code.
- (2) The minimum area for development of a mobile home park shall be five acres. A site development plan shall be included as provided for under section 5.6.5. The park shall also provide the following:
 - a. Each mobile home space shall be provided with a permanent concrete patio, four inches thick, measuring at least eight feet by 12 feet and conveniently located to the entrance of the mobile home;
 - b. Each mobile home shall be provided with at least one water-tight, covered refuse container having a capacity of 30 gallons; and
 - c. Refuse shall be collected at least once weekly. Where such collection frequency is not feasible, screened, centrally located bulk storage containers shall be provided within the park.
- (3) All mobile homes shall meet the following requirements:
 - a. Each mobile home shall be situated on a stable foundation sufficient in size to support the wheels and the front parking jack.

- b. Skirting of the mobile home is encouraged, but areas enclosed by such skirting shall be maintained so as not to provide a harborage for rodents or create a fire hazard.
 - c. Each mobile home shall be appropriately anchored to its mobile home stand to acceptably meet minimum established standards for high wind tie-down. Anchorage shall consist of 1½-inch steel strapping which shall be placed over the top of the four corners or attached to the frame at each of the four corners with two additional ties on each side.
- (4) The minimum area for development of a mobile home subdivision shall be ten acres. The platting requirements of the Medford subdivision regulations shall also be applicable.
- (Ord. No. 471, § 2, 11-9-2015)

[Sec. 5.6. C-1 neighborhood commercial district.]

Sec. 5.6.1. *C-1 neighborhood commercial district.*

Sec. 5.6.2. *Purpose.* The purpose of this district is to provide for the retail commercial sales and services necessary to a residential neighborhood. Development of commercial uses is regulated for compatibility with the surrounding residential areas. Districts are located to create commercial centers or clusters and to discourage commercial strip development.

Sec. 5.6.3. *Permitted uses.* The following uses are permitted in the C-1 district as provided and subject to other applicable requirements of the regulations:

- (1) Barber[shops] and beauty shops.
- (2) Dairy stores.
- (3) Drugstores.
- (4) Dry cleaning.
- (5) Convenience stores, including the sale of fuel.
- (6) Hardware stores.
- (7) Laundromats.
- (8) Offices, professional only.
- (9) Public uses and facilities including buildings, structures, and uses of the land by a unit of government such as public schools, parks, playgrounds, recreation centers, water and sewer facilities, administrative buildings, and fire stations.
- (10) Restaurants or other eating places, excluding drive-ins.
- (11) Churches.
- (12) Banks.
- (13) Clinics.