

**SALLISAW PLANNING COMMISSION
REGULAR MEETING**

May 4, 2021

5:30 PM

**WHEELER EVENT CENTER
103 N WHEELER AVE
SALLISAW OK 74955**

A G E N D A

- 1. Meeting called to order**
- 2. Declaration of a quorum**
- 3. Consider approval of minutes of regular meeting of February 2, 2021**
- 4. Discuss, consider, and take possible action concerning an amendment to the City of Sallisaw Code of Ordinances, adding zoning regulations; RT-1, Medium Density Residential District and RT-2, High Density Residential Housing District**
- 5. Adjourn**

Posted: April 30, 2021

Time: 3:36 pm

Kim Jamison

SALLISAW PLANNING COMMISSION

REGULAR MEETING

FEBRUARY 2, 2021

MINUTES

The Sallisaw Planning Commission met in a regular meeting on February 2, 2021, in the Wheeler Event Center, located at 103 N. Wheeler Ave, Sallisaw. Notice of the meeting was given by posting at city hall on January 29, 2021 at 10:45 a.m.; by posting on the City's website; by emailing Sequoyah County Times; and by giving notice to the City Clerk's Office.

MEMBERS PRESENT: Joe Velasquez Scott Looper Brady Bauer
 Tim Brown Ronnie Woodward Crystal Sides

MEMEBERS ABSENT: Matt Duke

STAFF PRESENT: Keith Miller Kim Jamison

Meeting was called to order at 5:30 p.m. and a Quorum was declared present.

MINUTES

The minutes of regular meeting of December 1, 2020, were presented for approval. Motion was made by Brown, seconded by Looper, for approval of minutes as presented. Vote: Velasquez aye, Looper aye, Bauer aye, Brown aye, Woodward aye, Sides aye. Motion carried 6-0.

Discuss, consider, and take possible action on Case No. PC 2021-003; Petition for Voluntary Annexation by Frank J Sullivan III and Amanda Sullivan

Mr. and Mrs. Sullivan petitioned to annex property into the corporate limits of the City of Sallisaw. The property is located on the southeast corner of Taylor Drive and Dogwood Street. Their intent is to construct a single-family dwelling.

Motion was made by Woodward, seconded by Brown, for approval of the petition for annexation. Vote: Velasquez aye, Looper aye, Bauer aye, Brown aye, Woodward aye, Sides aye. Motion carried 6-0.

Motion was made by Looper, seconded by Brown, to adjourn the meeting there being no further business. Vote: Velasquez aye, Looper aye, Bauer aye, Brown aye, Woodward aye, Sides aye. Motion carried 6-0. Meeting ended at 5:32 p.m.

APPROVED this 4th day of May , 2021

Chairman, Sallisaw Planning Commission

ATTEST:

Secretary

AGENDA ITEM COMMENTARY

Meeting Date: May 4, 2021
Board: Sallisaw Planning Commission
Subject: Add RT-1 and RT-2 Zoning

ITEM TITLE: Discuss, consider, and take possible action concerning an amendment to the City of Sallisaw Code of Ordinances, adding zoning regulations; RT-1, Medium Density Residential District and RT-2, High Density Residential Housing District

INITIATOR: Building Director and City Manager

STAFF INFORMATION SOURCE: Building Director

BACKGROUND: The title has changed from the Tiny Home Subdivision and Zoning to reflect lot density and construction allowances. This combination creates a smaller ordinance, which is less impactful to the developer.

EXHIBITS: 1. ORDINANCE ADDING RT-1 RT-2 Zoning Categories.v1
2. ORDINANCE ADDING RT-1 RT-2 TO CHAPTER 102.v1

KEY ISSUES: None

FUNDING SOURCE: N/A

RECOMMENDATION: Approval

ORDINANCE 2021-_____ DRAFT

**AN ORDINANCE REPEALING SECTION 102-171
OF THE CODE OF ORDINANCES OF THE CITY OF SALLISAW BY
ADDING A NEW SECTION 102-171 TO THE CITY OF SALLISAW CODE OF
ORDINANCES AND DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
SALLISAW, OKLAHOMA.**

SECTION 1.

That Section 102-171 of the Sallisaw Code of Ordinances be repealed and replaced with a new Section 102-171 by adding and enacting the following Division 14, to-wit:

Section 102-171

For the purpose of promoting the public health, safety, morals and general welfare of the community, the Board of Commissioners of the City of Sallisaw is hereby authorized to designate and divide the City into the following districts:

A-1 Agricultural District
A-2 Urban Residential
R-1 One-Family Residence District
R-2 Residence District
R-3 Multifamily Residence District
RT-1 Medium Density Residential District
RT-2 High Density Residential Housing District
M-1 Mobile/Modular Homes Subdivisions
M-2 Mobile/Modular Home Parks and RV Parks
C-1 Office District
C-2 Neighborhood Shopping District
C-3 General Commercial District
C-4 Highway Commercial and Commercial Recreation District
I-1 Industrial District

SECTION 2.

If, regardless of cause, any section, subsection, paragraph, sentence, phrase, portion or clause of this ordinance is held invalid or determined to be unconstitutional, the remaining sections, subsections, paragraphs, sentences, phrases, portions or clauses shall continue in full force and effect and shall be construed thereafter as being the entire provisions of this ordinance.

WHEREAS, an emergency and immediate necessity exists by reason of the health, safety and protection of the citizens of Sallisaw; therefore, an emergency is hereby declared to exist by reason whereof this Ordinance shall be in full force and effect from and after its passage and approval.

DRAFT ONLY

APPROVED this ____ day of _____, 2021

CITY OF SALLISAW, OKLAHOMA

By: _____

ERNIE MARTENS, Mayor

ATTEST:

DIANNA DAVIS, City Clerk

[SEAL]

ORDINANCE 2021-_____DRAFT

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
SALLISAW BY ADDING A NEW DIVISION 14 AND DIVISION 15 TO CHAPTER 102,
ARTICLE IV TO THE CITY OF SALLISAW CODE OF ORDINANCES AND
DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
SALLISAW, OKLAHOMA.**

SECTION 1.

That the Sallisaw Code of Ordinances be amended by adding and enacting the following Division 14, Sections 102-551 thru 102-569 to-wit:

Sec. 102-551. - Application of division.

The regulations of this division shall apply to the RT-1 Medium Density Residential District.

Section. 102-552. - Purpose.

The RT-1 Medium Density Residential District is designed specifically to provide an area for condensed single-family housing. The development shall be for residential dwelling ownership. Encroachment of commercial and industrial use or any other use which would substantially interfere with the development of or continuation of the RT-1 district as residential is prohibited. This division also discourages any use which would generate traffic or create congestion on neighborhood streets other than normal traffic which serves the residences on the street. This division also encourages only those uses which, because of character or size, would not create additional requirements and costs if the RT-1 district were developed solely for residential dwellings.

Section. 102-553 - Definitions in this division.

Single-Family House: A structure intended for separate independent living for one household. A Single-Family House shall include but not limited to the terms; Tiny Home, Cottage or Garden Home or other terms that may fit the descriptions as approved in this Code. For the purpose of this Code, all mentioned terms are considered Single-Family Dwellings and shall follow the regulation of this division.

- Meets or exceeds the current Residential Building Code as adopted by the State of Oklahoma Uniform Building Code Commission.
- Is permanent in nature.
- Is no larger than allowed by this ordinance; and a Minimum of 400 sq. ft. footprint.
- Does not exceed 800 sq. ft. of all floors under roof.
- Property shall be separated from all other zones by a 6 ft. privacy fence.

Section. 102-554. - Permitted use.

The following shall be permitted uses in the RT-1 district:

- (1) Single-family Houses (Ownership)
- (2) Single-Family Houses (Rental)

Section. 102-555. - Minimum lot size.

No dwelling or use shall be constructed or commenced in the RT-1 district which does not conform with the following minimum requirements for lot size:

Type	Minimum Lot Area	Minimum Street Front (Feet)
1-Single-family (Rental or Sale) Max Unit size: 800 sq. ft.	3,000 square feet	30*
2-Single-family (Rental or Sale) Max Unit size: 800 sq. ft.	6,000 square feet	60**

*The frontage of any wedge-shaped lot which meets the requirements of minimum lot size may be less than the required at the front property line as long as the minimum frontage is met at the front building line.

**Requires a lot split or proper platting on lots to be sold in accordance with the Sallisaw Code of Ordinances.

Section. 102-556. - Maximum coverage.

The maximum coverage of any lot in the RT-1 district shall not exceed 50 percent of the lot area for number of single-family usage.

Section. 102-557. - Yard requirements.

The following minimum requirements for yards shall apply to any use that is constructed or commenced on a parcel of land in the RT-1 district:

Permitted Use	Front Yard (Feet)	Side Yards (Feet)		Rear Yard
		Total	Each	
One-family	25	10	5	15

- 1) The side yard for corner lots in the RT-1 district will be a minimum of 15 feet on interior intersections and 25 feet where adjacent to a major street or section lines.
- 2) A minimum of ten feet of depth or 25 percent of the required front yard setback, whichever the greater, shall remain as designated green space.
- 3) The side yard for corner lots will be a minimum of 15 feet on interior intersections and 25 feet where adjacent to a major street.

Section. 102-558. - Height limit.

No dwelling in the RT-1 district shall be constructed with a height in excess of 18 feet from the mean lot elevation.

Section. 102-559. - Off-street parking.

In the RT-1 residence district, all parking shall be off-street. One (1) parking space is required for the residence and one (1) visitor space is required, for the RT-1 district for one-family dwellings. Dwelling Parking shall be paved with four inches of concrete over a four-inch compacted base. All parking surfaces shall be an approved impervious surface. All parking shall be individual to each residential unit.

Section. 102-560. – Utility Services.

No structure in an RT-1 district shall be constructed that is not provided with independent electric and water utilities and an effective individual connection to a public sewer system.

Section. 102-561. - Signs and billboards.

No signs, billboards, posters, bulletin boards or other similar matter shall be permitted in the RT-2 residence district except as permitted in Chapter 19 of the City of Sallisaw Code of Ordinances.

Section 102-562 thru 102-569: Reserved

SECTION 2

That the Sallisaw Code of Ordinances be amended by adding and enacting the following Division 15, Sections 102-570 thru 102-599, to-wit:

Section. 102-570. - Application of division.

The specific regulations of this division shall apply to the RT-2 High Density Housing District.

Section. 102-571. - Purpose.

The RT-2 High Density Housing District is designed specifically to provide an area for condensed single-family affordable housing. The development shall be for residential dwelling ownership and rental. Encroachment of commercial and industrial use or any other use which would substantially interfere with the development of or continuation of the RT-2 district as residential is prohibited. This division also discourages any use which would generate traffic or create congestion on neighborhood streets other than normal traffic which serves the residences on the street. This division also encourages only those uses which, because of character or size, would not create additional requirements and costs if the RT-2 district were developed solely for residential dwellings.

Section. 102-572- Definitions in this division.

Single-Family House: A structure intended for separate independent living for one household. A Single-Family House shall include but not limited to the terms; Tiny Home, Cottage or Garden Home or other terms that may fit the descriptions as approved in this Code. For the purpose of this Code, all mentioned terms are considered Single-Family Dwellings and shall follow the regulation of this division.

- Meets or exceeds the current Residential Building Code as adopted by the State of Oklahoma Uniform Building Code Commission.
- Is permanent in nature.
- Is no larger than allowed by this ordinance; and a minimum of 400 sq. ft.
- Does not exceed 800 sq. ft. of all floors under roof.

Section. 102-573. - Permitted use.

The following shall be permitted uses in the RT-2 district:

- (1) Single-family Houses.
- (2) *Multi-Unit Development (Multi Single-Family Housing).

*All Multi-Unit Development shall be preplanned and preapproved by the Planning Commission. If platting is required, the unit must meet all regulation of the Sallisaw Code of Ordinances.

Section. 102-574. - Minimum lot size.

No dwelling or use shall be constructed or commenced in the RT-2 district which does not conform with the following minimum requirements for lot size:

Type	Minimum Lot Area	Minimum Street Frontage (Feet)*
Single Unit (Rental or Sale) Max unit size:800 sq. ft.	2,000 square feet	25*
2-Units (Rental or sale) Max unit size: 800 sq. ft.	4,000 square feet	25 each/50 total **
***4-Units (Rental Only) Max Unit size:600 sq. ft.	6,000 Square feet	50*
****4-Units shall have a common courtyard	Yard shall be maintained by the owner of record	Sidewalks shall adjoin from the Parking area to each unit.

*The frontage of any wedge-shaped lot which meets the requirements of minimum lot size may be less than the required at the front property line as long as the minimum frontage is met at the front building line.

**Requires a lot split on lots to be sold if not platted in accordance with the section and the Sallisaw Code of Ordinances.

***4-Units shall be the maximum no matter lot size.

**** No Variances shall be granted on the Maximum number of units.

Section. 102-575. - Maximum coverage.

The maximum coverage of any lot in the RT-2 district shall not exceed 60 percent of the lot area for number of single-family usages.

Section. 102-576. - Yard requirements.

The following minimum requirements for yards shall apply to any use that is constructed or commenced on a parcel of land in the RT-2 district:

Permitted Use	Front Yard (Feet)	Side Yards (Feet)		Rear Yard
		Total	Each	
One-family	25	10	5	15
Multiple Units	25	10	5	10 or as approved

- 1) The side yard for corner lots in the RT-2 district will be a minimum of 15 feet on interior intersections and 25 feet where adjacent to a major street or section lines.
- 2) A minimum of ten feet of depth or 25 percent of the required front yard setback, whichever the greater, shall remain as designated green space.
- 3) The side yard for corner lots will be a minimum of 15 feet on interior intersections and 25 feet where adjacent to a major street.

Section. 102-577. - Height limit.

No dwelling in the RT-2 district shall be constructed with a height in excess of 18 feet from the mean lot elevation.

Section. 102-578. - Off-street parking.

- A. In the RT-2 residence district, the off-street parking requirements are the same as those in section 102-559 for the RT-1 district for one-family dwellings. Two-family dwellings shall be paved with four inches of concrete over a four-inch compacted base. All parking surfaces shall be an approved impervious surface.
- B. In RT-2 residential district multiple unit setting, parking spaces may be grouped together in one location beyond the required setback.

Section. 102-579. - Utility Services.

No structure in an RT-2 district shall be constructed that is not provided with independent electric and water utilities and an effective individual connection to a public sewer system.

~~Section. 102-580. —Fencing Requirements~~

~~All RT-2 Multi-Unit divisions shall be fenced by a 6-foot privacy fence from all other districts.~~

Section. 102-581. - Signs and billboards.

No signs, billboards, posters, bulletin boards or other similar matter shall be permitted in the RT-2 residence district except as permitted in Chapter 19 of the City of Sallisaw Code of Ordinances.

Section 102-582 thru 102-599: Reserved

SECTION 3.

If, regardless of cause, any section, subsection, paragraph, sentence, phrase, portion or clause of this ordinance is held invalid or determined to be unconstitutional, the remaining sections, subsections, paragraphs, sentences, phrases, portions or clauses shall continue in full force and effect and shall be construed thereafter as being the entire provisions of this ordinance.

WHEREAS, an emergency and immediate necessity exists by reason of the health, safety and protection of the citizens of Sallisaw; therefore, an emergency is hereby declared to exist by reason whereof this Ordinance shall be in full force and effect from and after its passage and approval.

DRAFT ONLY

PASSED AND APPROVED this ____ day of _____, 2021

CITY OF SALLISAW, OKLAHOMA

By: _____

ERNIE MARTENS, Mayor

ATTEST:

DIANNA DAVIS, City Clerk

[SEAL]