

**SALLISAW PLANNING COMMISSION
REGULAR MEETING**

July 6, 2021

5:30 PM

**WHEELER EVENT CENTER
103 N WHEELER
SALLISAW**

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 June 1, 2021**
- 4. Discuss, consider, and take possible action on Case No. PC 2021-004;
preliminary plat presentation of Lenora Blakely Addition, by Housing
Authority of the Cherokee Nation**
- 5. Discuss, consider, and take possible action on Case No. PC 2021-005;
rezoning request from agriculture (A-1) to residential (R-2) by Housing
Authority of the Cherokee Nation of Oklahoma**
- 6. Discuss, consider, and take possible action on Case No. PC 2021-006;
preliminary plat presentation of Arklahoma Addition by Matthew and
Kelsey Orendorff**
- 7. Discuss, consider, and take possible action on Case No. PC 2021-007,
rezoning request from agriculture (A-1) to residential (R-2) by Matthew and
Kelsey Orendorff**
- 8. Discuss, consider, and take possible action concerning an amendment to the
City of Sallisaw Code of Ordinances; Adding Chapter 19, Advertising and
Signs**

9. Adjourn

Posted: JULY 2, 2021

Time: 11:30 AM

KIM JAMISON

SALLISAW PLANNING COMMISSION

REGULAR MEETING

JUNE 1, 2021

MINUTES

The Sallisaw Planning Commission met in a regular meeting on June 1, 2021, in the Wheeler Event Center, located at 103 N. Wheeler Ave, Sallisaw. Notice of the meeting given by posting at city hall on May 27, 2021 at 11:30 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
 Ronnie Woodward Crystal Sides (arrived at 5:38)

MEMEBERS ABSENT: Matt Duke Tim Brown

STAFF PRESENT: Keith Miller Kim Jamison

Meeting called to order at 5:35 p.m. and a Quorum declared present.

MINUTES

The minutes of regular meeting of May 4, 2021, were presented for approval. Motion made by Looper, seconded by Woodward, for approval of minutes as presented. Vote: Velasquez aye, Looper aye, Bauer aye, and Woodward aye. Motion carried 4-0.

Discuss, consider, and take possible action concerning an amendment to the City of Sallisaw Code of Ordinances, adding zoning regulations: Adding Chapter 19, Advertising and Signs

After discussion of ordinance, motion made by Bauer, seconded by Looper, to table ordinance for further review until next Planning Commission meeting. Vote: Velasquez aye, Looper aye, Bauer aye, Woodward aye, and Sides aye. Motion carried 5-0.

Motion made by Looper, seconded by Woodward, to adjourn the meeting there being no further business. Vote: Velasquez aye, Looper aye, Bauer aye, Woodward aye, and Sides aye. Motion carried 5-0. Meeting ended at 5:46 p.m.

APPROVED this 6th day of July , 2021

Chairman, Sallisaw Planning Commission

ATTEST:

Secretary

AGENDA ITEM COMMENTARY

Meeting Date: July 6, 2021
Board: Sallisaw Planning Commission
Subject: Preliminary Plat Presentation of Lenora Blakely Addition

ITEM TITLE: Discuss, consider, and take possible action on Case No. PC 2021-004; preliminary plat presentation of Lenora Blakely Addition, by Housing Authority of the Cherokee Nation

INITIATOR: Osburn Land Surveyors, Inc., Agent

STAFF INFORMATION SOURCE: Keith Miller

BACKGROUND: Osburn Land Surveyors, Inc, agent for Housing Authority of the Cherokee Nation, will present a preliminary plat of Lenora Blakely Addition, an addition to the City of Sallisaw for consideration. The property is located on the west side Maple Street 500-600 feet North of Taylor Drive. The intent is construct a single family dwelling.

EXHIBITS: 1. PC2021-004 app
2. PC2021-004 Lenora Blakely Plat

KEY ISSUES: City sewer is not available; property owner will have to install an aerobic sewer system

FUNDING SOURCE: N/A

RECOMMENDATION: Approval

PLANNING COMMISSION

REQUEST FOR PLAT APPROVAL

Application is hereby made to the Planning Commission for consideration of a recommendation to the City Council for Lenora Blakely Addition

General Location Corner of Taylor & Maple

Present Use of Property As

Proposed Use of Property R-2

Record Owner of Property Lenora Blakely / Housing Authority, & Chiken Ndie

If Applicant is other than owner, indicate interest: Purchaser, Lessee, Agent for, agent
Osburn Land Surveyor other, _____

Are there any Private or Deed Restrictions controlling the use of this property?

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed Sherry Osburn

Address P.O. Box 1406

Phone 918-755-9322

Sallisaw, OK 74955

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: Chris Cal

Date: 5-4-21

Present Zoning: AG - A-1

Application No.: _____

Requested: Pending R-2

Fee Receipt: _____

P.C. Action: _____

City Action: _____

Date: _____

Ordinance No.: _____

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That We, the Housing Authority of the Cherokee Nation, being the sole owner of the fee simple and to the following described real estate situated in the County of Sequoyah, State of Oklahoma, as described in Book 1289, Page 286, to-wit:

A PART OF THE SE/4 SE/4 SE/4 OF SECTION 30, TOWNSHIP 12 NORTH, RANGE 24 EAST, SEQUOYAH COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS BEGINNING IN THE SE CORNER OF THE SE/4 SE/4 SE/4, THENCE N00°07'49"E 539.72 FEET TO THE POINT OF BEGINNING, THENCE S89°48'10"W 451.29 FEET; THENCE N00°07'49"E 119.86 FEET; THENCE N89°48'10"E 451.29 FEET; THENCE S00°07'49"W 119.86 FEET TO THE POINT OF BEGINNING.

have caused the same to be surveyed, staked and platted and have caused the same to be named and designated "Lenora Blakely Addition", on addition to the City of Sallisaw, Oklahoma.* I hereby dedicate to the City of Sallisaw, its successors and assigns, all easements and streets as shown on this plat and do hereby guarantee clear title to all land that is dedicated for the purpose of providing an orderly development of the entire tract.

owner— Housing Authority of the Cherokee Nation

STATE OF OKLAHOMA
COUNTY OF SEQUOYAH SS

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2021, personally appeared _____ for the Housing Authority of the Cherokee Nation, to me known to be the identical person who has executed the foregoing instrument of conveyance, and acknowledged to me that he executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year first above written.

Notary _____

My Commission Expires: _____

(SEAL)

SURVEYOR'S CERTIFICATE

I, Kelly Osburn, P.L.S., a competent surveyor and a Registered Land Surveyor under Registration No. 1628, do hereby certify that I have carefully and accurately surveyed and staked the property located on a part of the SE/4 SE/4 SE/4, Section 30, Township 12 North, Range 24 Sequoyah County, Oklahoma, as described on the plat and that #3 rebor have been found or placed at all property corners and that the described plot is a true representation of said survey. The Last Site Visit 4/20/21.

Certificate of Authorization: #6391; Expires 6--30--2021

Witness my hand this the _____ day of _____, 2021.

Kelly Osburn, P.L.S.

STATE OF OKLAHOMA
COUNTY OF SEQUOYAH SS

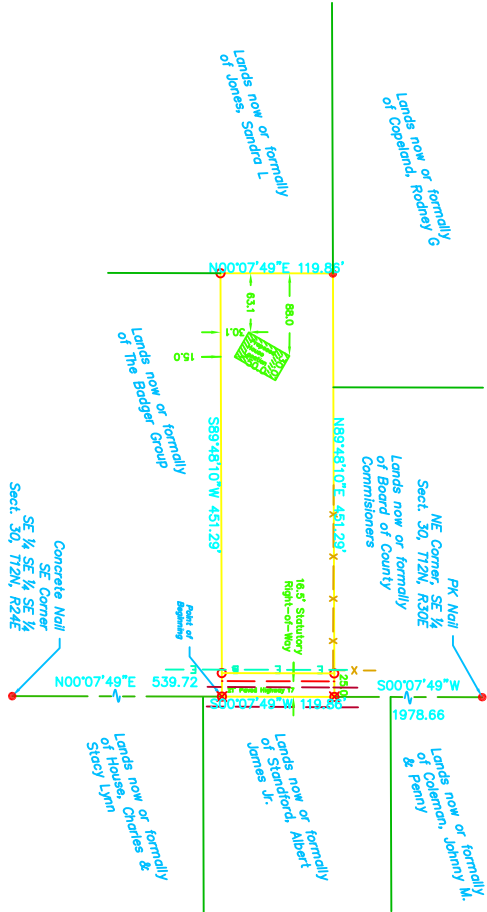
Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2021, personally appeared Kelly Osburn, to me known to be the identical person who executed the foregoing instrument of conveyance, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year first above written.

Notary _____

My Commission Expires: _____

(SEAL)



Preliminary

Lenora Blakely Add

An addition to the City of Sallisaw, being a part of the SE/4 SE/4 SE/4 of Section 30, Township 12 North, Range 24 East, Sequoyah County, Oklahoma.

Date: 4-2021 Scale: 1"=100'

Owner/Developer: Lenora Blakely/Housing Authority of the Cherokee Nation

Osburn Land Surveyors, Inc.

3615 West Cherokee P.O. Box 1406

Sallisaw, OK 74955

Office - (918) 775-9322

www.osburnlandsurveyors.com

APPROVAL OF PLAT

The Board of Commissioners of the City of Sallisaw, Oklahoma hereby approve this plat of "Lenora Blakely Addition", on addition to the City of Sallisaw, Oklahoma, and accepts the easements shown therein.

Dated this _____ day of _____, 2021.

CITY OF SALLISAW

MAYOR _____

ATTEST:

CITY CLERK _____

(SEAL)

The Planning Commission of the City of Sallisaw, Oklahoma recommends approval of plat "Lenora Blakely Addition" on addition to the City of Sallisaw, Oklahoma and the easements as shown therein.

Recommended Approval on _____ day of _____, 2021

CHAIRMAN _____

SECRETARY _____

TREASURER'S CERTIFICATE

I, Angela Glat, as Treasurer of Sequoyah County, Oklahoma, do hereby certify that all taxes on the property hereon platted and described have been paid or cash bond placed to secure the same.

Dated the _____ day of _____, 2021.

COUNTY TREASURER _____

NOTES:

A title search for easements affecting this property has been conducted and those found are illustrated. However any unrecorded easement whether written or implied affecting this property have not been shown.

The Section line passing through this plot is subject to a 33.0' statutory right-of-way (16.5' on each side) as created by Volume 32, U.S. Statutes at Large, Page 722.

Basis of Bearing is N00°07'49"E along the East line of the SE/4 of Section 30, Township 12 North, Range 24 East.

All Lot measurements are to Lot Corners.

This survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.



Location Map Scale: 1"=3000'

Sequoyah County, Okla.



AGENDA ITEM COMMENTARY

Meeting Date: July 6, 2021
Board: Sallisaw Planning Commission
Subject: Rezoning request from agriculture (A-1) to residential (R-2) by Housing Authority of the Cherokee Nation

ITEM TITLE: Discuss, consider, and take possible action on Case No. PC 2021-005; rezoning request from agriculture (A-1) to residential (R-2) by Housing Authority of the Cherokee Nation of Oklahoma

INITIATOR: Osburn Land Surveyors, Inc., agent

STAFF INFORMATION SOURCE: Keith Miller

BACKGROUND: Osburn Land Surveyors, Inc, agent for Housing Authority of the Cherokee Nation, is requesting a rezoning from agriculture (A-1) to residential (R-2). The property is located on the west side of Maple Street 500-600 feet north of Taylor Drive. The intent is to construct a single family dwelling.

EXHIBITS: 1. PC2021-005 app
2. MAP PC2021-005
3. Notice of Hearing - Case No. PC 2021-005

KEY ISSUES: City sewer not available; aerobic sewer system will have to be installed by property owner.

FUNDING SOURCE: N/a

RECOMMENDATION: Approval

PLANNING COMMISSION

REQUEST TO REZONE

Application is hereby made to the Planning Commission of a recommendation to the City Council for rezoning of the following described property to a District _____

General Location Corner of Taylor & Maple
(Street Address)

Present Use of Property A6

Proposed Use of Property R-2

Record Owner of Property Leonora Blackley / Housing Authority of Chandler, N. Ariz.

If Applicant is other than owner, indicate interest: ☐ purchaser, ☐ lessee,

☒ agent for Oshorn Builders ☐ other _____

Are there any Private or Deed Restrictions controlling the use of this property? _____

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed Sherry Chisum

Address P.O. 1406

Phone 918-775-9322

Sallisaw, OK 74455

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: CC Date 5-4-21

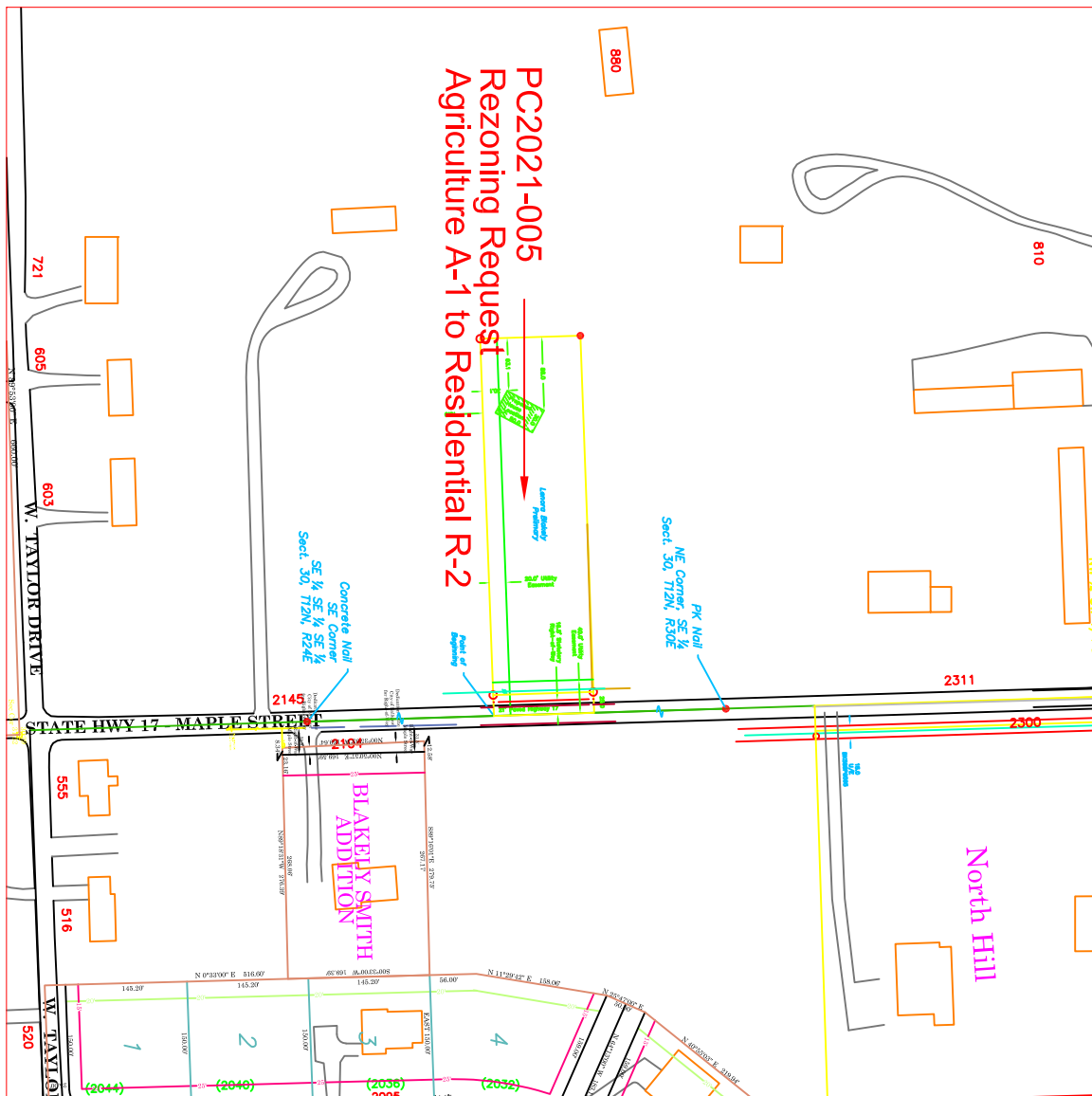
Application No.: _____ Requested: _____

Fee Receipt: _____ P.C Date: _____

City Council: _____

Date: _____

Ordinance No.: 5



NOTICE OF PUBLIC HEARING
ON APPLICATION FOR REZONING

Notice is hereby given that the undersigned, as owner(s) or agent for the owner(s) of the following described property in the Sallisaw City Limits, Sequoyah County, **Oklahoma, to wit:**

A part of the SE1/4 SE1/4 SE1/4 of Section 30, Township 12 North, Range 24 East, Sequoyah County, Oklahoma more particularly described as beginning in the SE corner of the SE1/4 SE1/4 SE1/4, thence N00°07'49"E 539.72 feet to the Point of Beginning; thence S89°48'10"W 451.29 feet; thence N00°07'49"E 119.86 feet; thence N89°48'10"E 451.29 feet; thence S00°07'49"W 119.86 feet to the Point of Beginning.

General Location: **Taylor Drive and Maple Street**

has filed with the Sallisaw Planning Commission a written application # **PC 2021-005** pursuant to the Zoning Ordinance as adopted by the City of Sallisaw, Oklahoma, to **rezone from agriculture (A-1) to residential (R-2)**

The undersigned will present said application to the Sallisaw Planning Commission on **July 6, 2021**, at **103 North Wheeler Ave, beginning at 5:30 pm**, at which time the Sallisaw Planning Commission will conduct a public hearing on said application. All interested persons are entitled to be heard and are invited to attend. Notice is published this 11th day of June, 2021.

By: **Housing Authority of the Cherokee Nation of Oklahoma**
Owner(s)

or By: **Osburn Land Surveyors, Inc.**
Agent

By: **Joe Velasquez**
Chairman, Sallisaw Planning Commission

Bill To:

Osburn Land Surveyors
PO Box 1406
Sallisaw OK 74955
918-775-9322

AGENDA ITEM COMMENTARY

Meeting Date: July 6, 2021
Board: Sallisaw Planning Commission
Subject: Preliminary Plat of Arklahoma Addition

ITEM TITLE: Discuss, consider, and take possible action on Case No. PC 2021-006; preliminary plat presentation of Arklahoma Addition by Matthew and Kelsey Orendorff

INITIATOR: Osburn Land Surveyors, Inc, agent

STAFF INFORMATION SOURCE: Keith Miller

BACKGROUND: Osburn Land Surveyors, Inc, agent for Matthew and Kelsey Orendorff, will present a preliminary plat of Arklahoma Addition, an addition to the City of Sallisaw for consideration. The property is located at 2790 North Dogwood Street. The intent is to construct a single family dwelling.

EXHIBITS: 1. PC2021-006 app
2. PC2021-006 plat

KEY ISSUES: None

FUNDING SOURCE: N/A

RECOMMENDATION: Approval

PLANNING COMMISSION

PC 2021- 006

REQUEST FOR PLAT APPROVAL

Application is hereby made to the Planning Commission for consideration of a recommendation to the City Council for Arklahoma Addition

General Location North Pogwood

Present Use of Property Ag

Proposed Use of Property R-2

Record Owner of Property Mathew Orendorff

If Applicant is other than owner, indicate interest: Purchaser, Lessee, Agent for, agent
Sherry Land Surveyor other, _____

Are there any Private or Deed Restrictions controlling the use of this property?

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed Sherry Oshus

Address P.O. 1406

Phone 918-775-9322

Sallisaw, OK

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: Chris Calk

Date: 5-4-21

Application No.: _____

Present Zoning: AG A-1

Fee Receipt: _____

Requested: Residential R-2

City Action: _____

P.C. Action: _____

Ordinance No.: _____

Date: _____

AGENDA ITEM COMMENTARY

Meeting Date: July 6, 2021
Board: Sallisaw Planning Commission
Subject: Rezoning Request from Agriculture (A-1) to residential (R-2)

ITEM TITLE: Discuss, consider, and take possible action on Case No. PC 2021-007, rezoning request from agriculture (A-1) to residential (R-2) by Matthew and Kelsey Orendorff

INITIATOR: Osburn Land Surveyors, Inc.

STAFF INFORMATION SOURCE: Keith Miller

BACKGROUND: Osburn Land Surveyors, Inc, agent for Mr. and Mrs. Orendorff, is requesting a rezoning from agriculture (A-1) to residential (R-2). The property is located at 2790 North Dogwood Street. The intent is to construct a single-family dwelling.

EXHIBITS:

1. PC2021-007 app
2. Map PC2021-007 newspaper
3. Notice of Hearing - Case No. PC 2021-007

KEY ISSUES: None

FUNDING SOURCE: N/A

RECOMMENDATION: Approval.

1
PC 2021- 007

PLANNING COMMISSION

REQUEST TO REZONE

Application is hereby made to the Planning Commission of a recommendation to the City Council for rezoning of the following described property to a District _____

General Location North Dogwood
(Street Address)

Present Use of Property Ag

Proposed Use of Property R-2

Record Owner of Property Mathew Overdorf

If Applicant is other than owner, indicate interest: ☐ purchaser, ☐ lessee,

☒ agent for Mathew Overdorf ☐ other _____

Are there any Private or Deed Restrictions controlling the use of this property? _____

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed: Sherry Osburn
Phone 918-775-9322

Address P.O. 1406
Sallisaw, OK 74955

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: CC Date 5-4-21

Application No.: _____ Requested: _____

Fee Receipt: _____ P.C Date: _____

City Council: _____

Date: _____

Ordinance No.: _____

NOTICE OF PUBLIC HEARING **ON APPLICATION FOR REZONING**

Notice is hereby given that the undersigned, as owner(s) or agent for the owner(s) of the following described property in the Sallisaw City Limits, Sequoyah County, **Oklahoma, to wit:**

A 4.42-acre parcel of land, more or less, less public road right of ways and being subject to any easements of record, being situated in a part of the NW/4 NW/4 SW/4 and a part of the SW/4 NW/4 of Section 28, Township 12 North, Range 24 East of the Indian Base and Meridian Sequoyah County, Oklahoma. The described parcel being created by Kelly Osburn, Oklahoma PLS #1628 on August 14, 2020. The basis of bearing for the described parcel is N00°00'11"E along the West line of Section 28 and is more particularly described as:

Commencing at the SW Corner of the NW/4 NW/4 SW/4 of sect 28; thence along the West line of said Section 28 N00°00'11"E 835.00 feet; Thence continuing along said West line N00°00'11"E 60.00 Feet; Thence S89°58'38"E 308.65 Feet; Thence S00°00'11"W 60.00 Feet; Thence S89°58'38"E 350.37 Feet; Thence S00°04'39"W 386.97 Feet; Thence N89°58'38"W 449.76 Feet; Thence N00°00'11"E 386.97 Feet; Thence N89°58'38"W 208.75 Feet to The Point Of Beginning.

General Location: **2790 N. DOGWOOD STREET**

has filed with the Sallisaw Planning Commission a written application # **PC 2021-007** pursuant to the Zoning Ordinance as adopted by the City of Sallisaw, Oklahoma, to **rezone from agriculture (A-1) to residential (R-2)**

The undersigned will present said application to the Sallisaw Planning Commission on **July 6, 2021**, at **103 North Wheeler Ave, beginning at 5:30 pm**, at which time the Sallisaw Planning Commission will conduct a public hearing on said application. All interested persons are entitled to be heard and are invited to attend. Notice is published this 11th day of June , 2021.

By: **Matthew and Kelsey Orendorff**
Owner(s)

or By: **Osburn Land Surveyors, Inc.**
Agent

By: **Joe Velasquez**
Chairman, Sallisaw Planning Commission

Bill To:

Osburn Land Surveyors
PO Box 1406
Sallisaw OK 74955
918-775-9322

Note: Need to repeal or edit

1. Search “billboards” in code. Section 102.320, 102-349, 102,441, 102-320, 102-411, 102-261, 102-291, 102-380, 102,373, 102-9, 102-2 definitions
2. Search “signs” in code.
3. https://library.municode.com/il/mundelein/codes/code_of_ordinances?nodeId=TIT2_1SIRE
- 4.

ORDINANCE 2021-DRAFT

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SALLISAW BY ESTABLISHING AND ADOPTING A NEW CHAPTER 19, ADVERTISING AND SIGNS, TO THE CITY OF SALLISAW CODE OF ORDINANCES, TO PROVIDE FOR REGULATION OF SIGNS, DEFINITIONS, STANDARDS, PERMITS, PENALTY, ENFORCEMENT, REPEAL AND SEVERABILITY; 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 establishing, adopting and enacting Chapter 19 as follows, to-wit:

CHAPTER 19

ARTICLE I. GENERAL

Section 19-1. Definitions

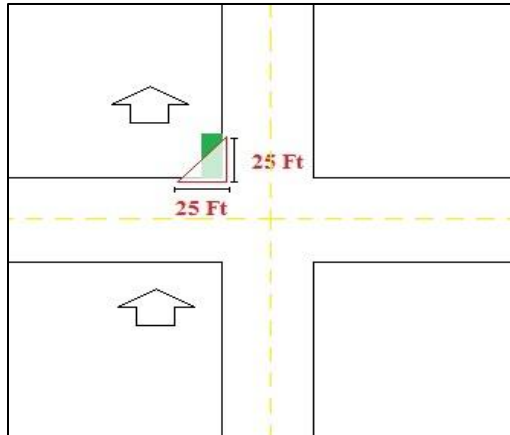
The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

- A. *A-frame sign* means an advertising device which is ordinarily in the shape of an "A," spring mounted on a fixed base, or some variation thereof, located on the ground, but not otherwise attached thereto, and which is usually two-sided.
- B. *Accessory sign* means any advertising device which identifies or displays information concerning the business conducted on the premises.
- C. *Attached sign* means an accessory sign attached to, painted on or in any other way represented on a building, or other structural element of a building. An attached sign includes a canopy sign, combination sign, fascia sign, marquee sign, module sign, parapet wall sign, projecting sign, roof sign and wall sign.

- D. *Banner* means any pennant, streamer, flag, sign, picture, figure or other object, regardless of the materials of which it is made, which is suspended or otherwise designed for decoration or advertisement or to attract the attention of passersby; excepting, however, official warning devices, public service facilities, streetlights and similar safety devices.
- E. *Billboard* means any sign structure upon which advertising may be posted, painted or affixed and which is primarily designed for the rental or lease of the sign space for advertising not related to the use of the property upon which the sign is located.
- F. *Directional and information sign* means signs which direct attention to the location of a facility or group of facilities on the same property on which the sign is located
- G. *Ground Sign* means freestanding accessory sign of limited height, which is secured to a fixed base, usually at ground level or at a slight elevation above ground, rather than being pole mounted. A sign attached to a wall or fence which serves as the boundary of a parcel shall be considered a ground sign.
- H. *Moving sign* means any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement. Movement may be caused by mechanical, wind or other means.
- I. *Non-Accessory Sign* means a sign or advertising device which directs attention to an activity, service or product sold or offered elsewhere than on the premises on which the sign is located.
- J. *Pole sign* means a freestanding on premise sign in excess of ten (10) feet in height that is detached from a building and is supported by one or more structural elements that are either: (a) architecturally dissimilar to the design of the sign; or (b) less than $\frac{1}{4}$ the width of the sign face.
- K. *Political Sign* means any sign concerning the candidacy of an individual, or individuals, for public office, whether such public office is in the local, county, tribal, state, or federal government, or any subdivision thereof, or concerning support or opposition to any public issue.
- L. *Portable Display Signs* means a display surface temporarily fixed to a standardized advertising structure which is regularly moved from structure to structure, or place to place, at periodic intervals. Portable display signs may be displayed on a trailer, vehicle or other transportable means.
- M. *Public Right-of-Way* means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the municipality, or state, has an interest.
- N. *Sexually Oriented Signs* means any sign associated with and or pertaining to sexually oriented businesses, movie theaters or movie rental.
- O. *Sign* means any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter, or illuminated service which shall be constructed, placed, attached, painted, erected, fastened, or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise whatsoever which is displayed in any manner whatsoever outdoors. Every

sign shall be classified and conform to the requirements of that classification as set forth in this Chapter.

- P. *Site Triangle (also referred to as Clear Site Triangle)* means a triangle formed by the intersection of two streets, measured twenty five (25) feet from the intersection along the edges of the two streets.



- Q. *Swinging sign* means a sign having one side connected to a post or structure which is allowed to freely move with wind.
- R. *Temporary sign* means any sign or advertising device constructed of cloth, canvas, light fabric, portable cardboard, wood, wallboard, metal or other light materials, with or without frames, which is intended to be displayed for a limited period of time only and which is portable.

Section 19-2 Purpose and Intent

It is the purpose of this Chapter to establish effective sign regulations that benefit the community and promote a safe environment.

Section 19-3 Applicability

This Chapter shall apply to the display, construction, erection, alteration, use, location and maintenance of all signs within the city, including any sign erected or constructed prior to the effective date of the ordinance from which this Chapter is derived.

Section 19-4 Exemptions

Except as specifically provided, the signs listed in this section shall be exempt from this Chapter, but location and installation shall be approved by the Building Development Director. All of the following signs shall be securely attached to a structure or to stakes or posts that are firmly embedded in the ground; with the exception of the United States Flag, they shall not be illuminated:

- A. The United States Flag.

- B. State of Oklahoma Flag.
- C. Real estate signs, temporary construction signs, school flags or insignia, holiday or seasonal decorations.
- D. Signs placed on public property for the purpose of indicating the location of a local Farmers Market.
- E. Signs placed on public property by community non-profit organizations which have been approved by the City Manager.
- F. Public signs. This Chapter shall not apply to signs erected by the city, county, state or federal government for public notices, information, traffic direction or street identification.
- G. Historical markers placed by a city, county, state or national historical preservation organization.
- H. Underground utility warning signs.
- I. Temporary signs, or other types of signs, placed on public property to provide public information and approved by the City Manager.

Section 19-5 thru 19-20: Reserved

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

Section 19-21 Continuation of Legal Nonconforming Signs.

Any sign located within the city on the date of the adoption of the ordinance from which this Chapter is derived or located in an area annexed to the city thereafter, which does not conform with this Chapter, shall be considered as a legal nonconforming sign and is permitted, provided that the sign was in all respects in compliance with the applicable law on the date of adoption of the ordinance from which this Chapter is derived. If such sign is not in conformance with the existing law, such sign must be brought into conformance or removed according to procedures established in this Chapter. Such sign shall be maintained in a good condition and shall be allowed to remain in existence so long as such sign is not altered. If altering is required, the sign must be brought to current standards.

Section 19-22 Removal by Impoundment

Any sign situated in, or that becomes situated in, any public right-of-way or public street, which has been damaged by storm or collision, and its presence constitutes a threat to the health, safety and welfare of the public, may be removed and impounded by the Building Development Director or other employees of the City, including any police officer. Damaged signs removed by impoundment shall be disposed of in an approved manner unless claimed by the owner within seven (7) days.

Section 19-23 Discontinuance of Prohibited Signs

Any nonconforming sign which is listed as a prohibited sign shall be removed or brought in conformance with this Chapter within six months after the effective date of the ordinance. Signs in these categories which is in existence on such effective date shall be altered in such a manner that its movement or illumination does not continue operating in a prohibited manner. Any nonconforming sign erected or displayed more than 90 days prior to the effective date of the ordinance from which this Chapter is derived, which is defined as a portable or temporary sign under this Chapter, shall be removed forthwith.

Section 19-24 Enforcement and Violations

- A. The City Manager, Building Development Director, or their designee is authorized and directed to enforce all sections of this Chapter. They shall appear on behalf of the city in all matters regarding the interpretation and application of this Chapter.
- B. Any sign erected, placed, or displayed in violation of the provisions of this Chapter, or otherwise unlawfully erected, placed or displayed, shall be a public nuisance and may be removed by the City, in addition to any other penalty imposed for such violation.
- C. Unless specifically required in this Chapter, or by specific zoning requirements or building permitting processes, permits for placement of signs shall not be required. If required, the cost of the permit shall be adopted in the City of Sallisaw Master Fee Schedule.

Section 19-25 Appendix H of the International Building Code

For other types of signs or items not specifically referenced in this Chapter, City officials shall use Appendix H of the International Building Code for further reference and/or enforcement.

Section 19-26 thru 19-40: Reserved

ARTICLE III. PROHIBITIONS AND CERTAIN OTHER REQUIREMENTS

Section 19-41 Prohibitions

- A. Unless specifically permitted in another section of this Chapter, or the Sallisaw City Code, no sign shall be erected on or over the public right-of-way. Merchandise such as tires, produce, automotive vehicles and any other articles for display or sale shall not be located in any manner in the public right-of-way.
- B. The use of boulevards, streets, drives, lanes, public parking lots, also park roads or parks under the control of the city, for any political, social, civic or charitable non-accessory advertising purpose within full view of those traveling on a public road is prohibited. However, the government use of these areas to display public information, the placement of decorations or the placement of neighborhood identification signs shall not be included

in this restriction.

- C. No person shall erect or place signs displaying any obscene matter.
- D. The erection, construction or maintenance of any sign which will prevent free ingress to or egress from any door, window or fire escape, stairway or standpipe, or be attached to or supported by a fire escape or stairway that would interfere with human exit through any emergency opening. Signs shall not obstruct the exterior door or required exit of any building or obstruct any legally required light or ventilation is prohibited.
- E. No sign shall occupy any parking space required under the minimum standards of the zoning code, unless additional parking is provided.
- F. No sign shall be erected in such a manner that would create electrical interference with radio or other electronic communications between the airport and aircraft; make it difficult for flyers to distinguish between airport lights and others; result in glare in the eyes of flyers using the airport; impair visibility in the vicinity of the airport; or otherwise endanger the landing, taking off or maneuvering of aircraft. No sign shall interfere with established glide slope paths established for the Sallisaw Municipal Airport.

Section 19.42 Certain Other Requirements

- A. All letters, figures, characters or representations in cutout or irregular form, maintained in conjunction with, attached to or superimposed upon, any sign shall be safely attached to the sign structure.
- B. Signs abandoned, or otherwise not used for a period of 365 days or greater shall be removed from any property it sits upon. If not removed, the Building Development Director, or their designee, may take steps to declare the sign a public nuisance.
- C. Unless otherwise allowed in this Chapter, no sign(s) shall interfere with a site triangle of any intersection of roadways.

Section 19-43 thru 19-100: Reserved

ARTICLE IV. SIGNS AND SIGN STANDARDS

Section 19-101 Political Advertising Signs

- A. No person, firm, or corporation shall erect or display any political advertising sign on any public right-of-way, property, public facility or utility poles. Any sign placed in this manner will be disposed of by the City without notice.
- B. All political signs, ground or portable, placed upon residential or commercial property must be removed within seven (7) days after the final election, including runoff elections, where outcome is decided.
- C. Political advertising signs in disrepair must be repaired or removed immediately.

- D. Political signs may not be placed on private property without the consent of the property owner.

Section 19-102 Grand Opening Signs

All businesses shall be permitted to display Grand Opening Signs on a one (1) time basis for a maximum of thirty (30) consecutive days. Grand Opening Signs include sign banners, balloons, streamers, flags, pennants, inflatable structures, merchandise, and other attention-attracting media and devices, as well as vehicle-mounted signs and portable display surface. Grand Opening Signs shall not be placed on public property or any public right-of-way or easement.

Section 19.103 Portable Display Signs

- A. A portable display sign may be used on premises for a period not to exceed thirty (30) days. At the end of the period, the portable display sign must be removed. Unless otherwise authorized, portable display signs shall not be placed on public property or any public right-of-way or easement.
- B. Portable display signs shall not exceed 128 square feet in size and not be over 8 feet tall, or 16 feet in length. (quantity of 4, 4x8 sheets of plywood).
- C. No strobe or high intensity flashing lights shall be placed on portable signs.
- D. To avoid traffic conflicts, lights of a single color, or combination of colors, which could be confused with emergency or service vehicles and equipment shall not be placed on portable signs.
- E. Portable display signs may not be placed in a site triangle of any intersection or driveway.
- F. When a spectator or special entertainment event is proposed for the enjoyment of the community, the City Manager may authorize one or more portable signs for a period not to exceed 30 days per event, subject to all regulations for signs in this Chapter. Such signs may be placed on public (city owned) property if approved by the City Manager.

Section 19.104 A-Frame Type Advertising Signs

- A. A-Frame type advertising signs shall be permitted if placed adjacent to the entry door of a business. Signs of this type must not interfere with the normal walkway of a sidewalk. The maximum size of signs of this type placed on sidewalks shall be 48 inches tall x 24 inches wide.
- B. A-Frame type signs placed on private property adjacent to public right-of-way shall be anchored to the ground. For A-Frame signs not placed on sidewalks, the maximum size shall be 48 inches tall x 36 inches wide across the front.
- C. Any A-Frame signs not being used for advertising, or allowed to become damaged or dilapidated, shall be repaired or removed by the owner. Dilapidated signs, or A-Frame signs unused for a period of six (6) months or more, may be removed by the Building Development Director, or his designee.

Section 19.105 Flashing, Moving, Electronic and Sound Emitting Signs

- A. Flashing, moving, electronic and sound emitting signs shall not be placed for use without first being reviewed by the Building Development Director, or their designee. These types of signs shall also include time-temperature and moving message signs.
- B. The Building Development Department shall review any complaint by the public, or a public official, in reference to a possible traffic hazard caused by any sign. Where a hazard is determined to exist, the Building Development Director shall request the sign be removed or altered to eliminate the traffic hazard.
- C. Moving signs shall not be placed in any public right-of-way.
- D. No sign shall emit any sound which is designed to attract attention.
- E. Flashing Signs.
 - 1. No strobe or high intensity flashing lights shall be permitted on signs except where required on structures for aircraft warning lights.
 - 2. Flashing signs shall not be located within 150 feet of a residential district if such lighting can be seen from the residential district. Flashing signs shall not be placed in any public right-of-way.
 - 3. To avoid traffic conflicts, lights of a single color, or combination of colors, which could be confused with emergency or service vehicles and equipment shall not be used on signs.

Section 19.106 Ground Signs

- A. Maximum Height. The maximum height of ground signs shall be 20 feet above grade level, unless specifically addressed by specific zoning requirements.
- B. Ground signs shall not interfere with a site triangle of an intersection.
- C. No strobe or high intensity flashing lights shall be placed on ground signs.
- D. To avoid traffic conflicts, lights of a single color, or combination of colors, which could be confused with emergency or service vehicles and equipment shall not be used on ground signs.

Section 19-107 Garage Sale Signs

- A. All garage sales shall follow the requirements of Article IV of Chapter 22 of the Sallisaw City Code.
- B. Garage sale signs shall not be affixed to, or placed upon, any public property or public right-of-way. Signs placed upon any public property or public right-of-way are subject to removal by any city personnel with no notice.
- C. Garage sale signs shall be affixed into the ground and be no more than 288 square inches in size, being no more than 36 inches in height.
- D. Persons conducting garage sales shall be limited to three garage sale signs for each

permitted sale.

- E. All garage sale signs may be placed in a location no more than 48 hours prior to the sale and must be removed immediately after the ending date and time of the sale.

Section 19.108 Sexually Oriented Signs

- A. Sexually oriented signs shall require a permit issued by the City. Requests for sexually oriented signs shall be made through the Building Development Department. Such requests shall be reviewed by the Zoning Board of Adjustment prior to approval and issuance of permits.
- B. In addition to being permitted and regulated in specified zoning districts. Sexually Oriented signs shall not:
 - 1. Display shapes resembling the entire human body or other suggestive material.
 - 2. The letters XXX or verbiage acknowledging the same.
 - 3. References to adult toys or products.
 - 4. Be permitted in Agricultural, Residential, Manufactured or Mobile Home zoned districts or within 1,000 feet of a church, public or private school, daycare, park or other complex, facility or location where children may gather or play.

Section 19.109 Maintenance of Sign Vicinity

The owner of any property on which a sign is located, and those responsible for maintenance of the sign, shall be equally responsible for the conditions of the area in the vicinity of the sign and shall be required to keep this area clean and free of rubbish, weeds and other waste materials.

Section 19-110 Advertising Searchlight

- A. The purposes of this section, an “advertising searchlight” means a searchlight used to direct beams of light upward for advertising purposes.
- B. Use of an advertising searchlight at any location is authorized upon issuance of a permit by the Building Development Director, or their designee. The permit shall be effective for a maximum period of five (5) days per calendar year to any business or group.
- C. The advertising searchlight shall not be operated between the hours of 11:00 p.m. and 6:00 p.m.

Section 19-111 Pole Signs

- A. All pole signs must be permitted through the Building Development Department of the City.
- B. All pole signs shall be constructed on the premise of the business property.
- C. On premise pole signs shall not be placed closer than two (2) feet to any street or public

right-of-way, unless the size of the sign dictates otherwise.

- D. All pole signs shall have a minimum clearance between the ground and the lowest portion of such sign of not less than ten (10) feet.
- E. Pole signs shall not be allowed to become dilapidated. Upon notification that an existing pole sign is, or is becoming, structurally deficient, the owner shall have ninety (90) days to begin repairs. If the pole sign is not repaired within one hundred twenty (120) days of notification, the Building Development Director, or designee, may take action to declare the pole sign a public nuisance and abate as necessary.

Section 19-112 thru 19-149: Reserved

ARTICLE V. BILLBOARDS

Section 19.150 Billboards

- A. All Billboards shall be considered as non-accessory type signs.
- B. Billboards existing upon the adoption of this Chapter shall be allowed to remain provided the Billboard is being utilized and is structurally sound. Advertising on existing Billboards may be changed, provided the advertising meets the requirements of this Chapter.
- C. Billboards existing upon the adoption of this Chapter shall be allowed to be modernized and repaired and to remain operational. Repairs of existing Billboards shall be approved through the permitting process of the Building Development Department.
- D. Billboards shall not be constructed within the city limits of Sallisaw without first obtaining a permit for such construction.
- E. If constructed new, Billboards are only permissible in I-1 and A-1 zoning districts. Spot zoning is not allowed for Billboards.
- F. All work to construct, modify or to maintain Billboards shall only be completed by contractors registered with the Building Development Department of the City.
- G. Billboards shall not be allowed to become dilapidated. Upon notification that an existing Billboard is, or is becoming, structurally deficient, the owner shall have ninety (90) days to begin repairs. If the Billboard is not repaired within one hundred twenty (120) days of notification, the Building Development Director, or designee, may take action to declare the Billboard a public nuisance and abate as necessary.

Section 19-151 Prohibition

Billboards shall not be constructed in the U.S. Highway 59 North or South corridor, north or south of State Highway 64, within the city limits of Sallisaw.

Section 19-152 Billboard Size

- A. Unless specifically addressed in this Chapter, or other zoning requirements, the maximum height of a non-accessory Billboard type sign shall be fifty (50) feet above road grade. The minimum clearance between ground level and the lowest display surface, exclusive of supports shall not be less than ten (10) feet. Display surface shall not exceed six hundred seventy-two (672) square feet per sign face. Design of Billboards shall meet the wind load requirements of the International Building Code.
- B. Spacing of Billboards;
 - 1. In areas properly zoned, regardless of size or height, no non-accessory sign shall be constructed, erected, placed, or replaced closer than one thousand three hundred twenty (1,320) feet to another non-accessory sign facing in the same direction and on the same side of the roadway from which the sign is intended to be read.
 - 2.

Section 19-____ thru 19-____: Reserved

SECTION 2.

Any ordinance inconsistent with the terms and provisions of this ordinance is hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

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 _____, _____.

CITY OF SALLISAW, OKLAHOMA

By: _____
Ernie Martens, Mayor

ATTEST:

DIANNA DAVIS, City Clerk
[SEAL]