

SEC. 433.1 - USES PERMISSIBLE ON REVIEW (Deleted as part of the action creating Special Use, Section 434.1 - Ordinance No. O-9596-11, October 24, 1995)

SEC. 434.1 - SPECIAL USES

(As established by Ord. No. O-9596-11 – October 24, 1995)

Any use designated as a "Special Use" under any zoning district is not appropriate for each and every parcel of land which is included in the pertinent zoning district. However, upon review, the City Council may determine that one or more "Special Uses" should be approved for a specific parcel of land. Such approval, by ordinance duly adopted by the City Council, may come after a public notice and a hearing by the Planning Commission. Any such approval may be made conditional on the subject parcel of land meeting and maintaining specific requirements and/or conditions.

- (a) Application and Fee: Application for a "Special Use" shall be filed with the Director of Planning and Community Development. The application shall include the following:
- (1) Name and address of the owner, and also applicant if different from the owner. (The City of Norman may initiate the application.)
 - (2) Address and legal description of the property.
 - (3) If the applicant is not the legal owner of the property, a statement that the applicant is either the authorized agent for the owner of the property or has a lawful right to acquire use and possession of the property.
 - (4) A statement describing the nature and operating characteristics of the proposed "Special Use(s)". For uses potentially generating high volumes of vehicular traffic, the Director may require specific information relative to the anticipated peak loads and peak use periods, the ability of the use to meet performance standards, or substantiating the adequacy of proposed parking, loading, and circulation facilities.
 - (5) A site plan, drawn to scale, showing the location and dimensions of boundary lines, with distances and bearings, easements, required yards and setbacks, and all existing and proposed buildings, parking and loading areas, ingress and egress, the location of existing and proposed landscaped areas, utility or service areas, fencing and screening, signs and lighting.
 - (6) Application for a "Special Use" and for Rezoning for the same property may be made concurrently, subject to the fees applicable to both a "Special Use" and a Rezoning. The Planning Commission shall hold the public hearing on the Rezoning and the "Special Use" at the same meeting and may combine the two hearings. If the City Council modifies a recommendation of the Commission on a concurrent zoning reclassification, the "Special Use" application may, if the City Council deems it necessary, be referred back to the Planning Commission in the same manner as a new application; provided, however, that no additional fee shall be required.
 - (7) A filing fee of \$400.00 plus \$10.00 per acre.

- (8) In order to properly evaluate the proposed "Special Use", the Planning Director may require the following additional information:
 - [a] Preliminary building elevations for all new or renovated structures, indicating height, bulk, and general appearance.
 - [b] Preliminary improvement plans for any alteration of existing water courses or drainage features, proposed streets and alleys, and the location of the 100 year floodplain.
 - [c] The relationship of the site and the proposed use to surrounding uses, including pedestrian and vehicular circulation, current use of nearby parcels, and any proposed off-site improvements to be made.

- (b) Review and Evaluation Criteria: The Planning Commission shall review and evaluate any "Special Use" proposal and recommend to the City Council using the following criteria:
 - (1) Conformance with applicable regulations and standards established by the Zoning Regulations.
 - (2) Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
 - (3) Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
 - (4) Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
 - (5) Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
 - (6) That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.

- (c) Planning Commission Hearing and Recommendation: The Planning Commission shall hold a public hearing on each application for a "Special Use". Public notification requirements shall be the same as a rezoning procedure. At the public hearing, the Commission shall review the application and shall receive public comments concerning the proposed use and the proposed conditions under which it would be operated or maintained. The Planning Commission may recommend that the City Council establish conditions of approval. Conditions may include, but shall not be limited to, requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation, regulation of signs; regulation of hours or other characteristics of operation; and such other conditions as the Commission may deem necessary to insure compatibility with surrounding uses, and to preserve the public health, safety, and welfare.
- (d) City Council Approval: Granting a "Special Use" shall be considered a privilege bestowed by the City Council for a specific use at a specific location. "Special Uses" may be granted by the City Council with such requirements and/or conditions, as the Council deems appropriate. Such requirements and/or conditions shall be continually complied with by the applicant and his successors and assigns. At the time of issuance of a Certificate of Occupancy for the initial operation of a "Special Use", the City shall cause the property legal description and "Conditions of Approval" established by the City Council to be filed in the Tract Index of the Cleveland County Clerk's office. Prior to such filing, the Applicant shall be afforded an opportunity to review the instrument to be filed, for correctness.
- (e) Violations: For any reason, if any requirement or condition specified in the authorizing "Special Use" ordinance is violated, said violation constitutes a violation of the Zoning Ordinance and subjects the violator to the fines and penalties contained herein. Further, such a violation constitutes grounds for the City Council to remove or amend, by ordinance, the previously authorized "Special Use" and any concurrent rezoning.
- (1) If it is determined by the Planning Director or the City Manager that there is a violation of any applicable provision of this Section, or a failure to comply with conditions imposed by any "Special Use" ordinance on the property, then the Planning Director or the City Manager may initiate any or all of the following actions to remedy the situation, including:
- [a] Specify the nature and extent of any such violations and specify reasonable time to correct such violations;
 - [b] Report such violations to the Code Enforcement Official and initiate action in the same manner as any other violation of the Zoning Ordinance;
 - [c] Schedule a Public Hearing before the City Council to review such matter and consider revocation, by ordinance, of the granting of a "Special Use" for said property.

- (2) Whenever any one or more of the foregoing actions is initiated, notice shall be given to the property owner of record by any means then authorized by the Oklahoma Pleading Code for service of summons in a civil action. Further, if the property is occupied, such notice shall also be given, by first-class mail or hand-delivery, addressed to "Tenant, Owner, or Manager" at the property address.
- (f) Expiration for Non-Use: The authority to issue initial construction or initial occupancy permits pursuant to the granting of a "Special Use" shall expire two (2) years after the City Council approves the "Special Use", unless the City Council includes a different time limit as a specific condition of approval. This time period to initially establish a "Special Use" may be extended for a maximum of an additional two years by action of the City Council, upon receipt of a timely request from the owner of said property, when it determines that conditions have not substantially changed since the time of original approval.

In any case where the "Special Use" is not activated in accordance with the times specified in the preceding paragraph, or where the "Special Use" has been discontinued for two continuous years, then authority for such a "Special Use" ceases to exist and the owner must reapply in order to establish or re-establish said "Special Use."

- (g) Change of Ownership: A "Special Use" may be transferred to a new owner provided: (1) written notification is sent to the Planning Director indicating date of transfer, name and address of new owner, and a statement acknowledging any conditions attached to the "Special Use" and the intent to continuously comply; (2) a \$100.00 Transfer Fee is paid; and (3) an inspection of the property reveals continued compliance with all original conditions.
- (h) "Special Uses" which were formerly described as Uses Permitted on Review or Conditional Use Permits:
- (1) A use legally established pursuant to a Conditional Use Permit or Permissive Use Rezoning prior to the date of adoption of these Zoning Regulations shall be deemed pre-existing and, shall be permitted to continue, provided that it is operated and maintained in accord with any conditions prescribed at the time of its establishment. If such a structure is destroyed by fire, explosions, or act of God, it may be rebuilt, if compliance with all conditions stipulated in its enabling ordinance are complied with.
- (2) Expansion of a pre-existing Permissive Use or Conditional Use Permit shall be permitted only upon the granting of a "Special Use" as prescribed in these regulations.

SEC. 434.2 – REGULATIONS FOR SPECIAL USES
(O-1718-36 – March 27, 2018; O-1718-38 – March 27, 2018)

(a) Agri-Wedding Event Venues

1. General Description. The purpose of this section is to provide for the orderly development of an Agri-Wedding Venue; an Agri-Wedding Venue is a Small, Intermediate or Large Agri-Wedding Venue within the City of Norman approved under a Special Use Permit in the A-1, General Agricultural District, or A-2, Rural Agricultural District. Granting of a Special Use shall be considered a privilege bestowed by the City Council for a specific use at a specific location. Special Use may be granted by the City Council with additional requirements and or conditions not listed in this section.

2. Use. Agri-Wedding Venue. This use may be allowed on parcels of ten (10) acres or larger in size. The suitability of a parcel for an agri-wedding venue shall be determined by the characteristics of the site and by the unique capacity of the parcel to accommodate the use while preserving the essential rural character of the area and the site on which the use is located, by the ability of the parcel to accommodate the use without negative impact on the general health, safety, and welfare of the community, and by other factors the City may deem appropriate for consideration depending on the location of the property.

3. DEFINITIONS. Agri-Wedding Venue - A wedding venue located on agriculturally zoned land that is operated by the property owner or their designee. The site provides facilities for weddings such as a kitchen and/or outdoor barbecue/cooking facilities, dressing rooms, event rooms and bathroom facilities that are available to the private group. This use does not include outdoor concerts, live music events or retreat events not associated with a wedding venue. The agri-wedding venue may be accommodated on the following acreages:

Small - Ten (10) acres or larger; 100 or fewer guests

Intermediate - Twenty (20) acres or larger; 200 or fewer guests

Large - Forty (40) acres or larger; 300 or fewer guests

4. CONDITIONS OF USE.

- (a) A Pre-Development meeting is required for all applications per Section 442.1 Amendments of the Zoning Ordinance.
- (b) Ownership – The owners of the property must be the operator of the wedding event business and the operator or designee must be on the premises for the duration of each event.
- (c) Agricultural Use – Sales tax exemption for an agricultural business on-site is required.
- (d) Maximum Number of Guests – The maximum number of guests is dependent on parcel size; “*Small, Intermediate, Large*” as defined above.
- (e) Food and Beverages – The serving of food and beverages is permitted only as part of the ceremony/event. Any on-site preparation and handling of food or beverages must comply with all applicable Federal, State or Local Standards.
- (f) Hours of Operation – Ceremonies are limited to no more than four times per week. Ceremonies and associated activities shall only be allowed between the hours of