

The City of Durant encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged in order to make the necessary accommodations. The City of Durant may waive the 48-hour rule if interpreters for the deaf (signing) or translation services for limited English proficient (LEP) individuals are not the necessary accommodation.

DURANT PLANNING COMMISSION

5:30 PM

**Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma**

March 5, 2024

AGENDA

CALL TO ORDER

INVOCATION/FLAG SALUTE

ROLL CALL

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

a. Consider Approval of February 6, 2024 Meeting Minutes

b. Consider the Adoption of an Updated Sign Ordinance

2. Consider Items Removed from Consent

3. Administration

4. Public Hearings

a. PC2024-03 Consider Approval of Final Plat Request by Dale Construction Inc for 49th and South of Railroad

b. PC2024-06 Consider Approval of Rezone Request by Monica Uber for Property Located at 711 Blanchard.

c. PC2024-07 Consider Approval of Final Plat Request for Sunstar LLC for Property Located Near Larkspur Lane

d. PC2024-08 Consider Approval of Rezone Request by Kain Smith for Property Located on Rodeo Road.

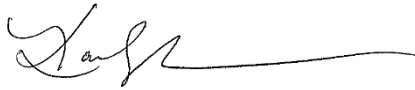
e. PC2024-09 Consider Approval for 6 Month Extension for Rodeo Hills Phase II Located Near South 9th and Rodeo Rd.

5. New Business

ADJOURNMENT

CERTIFICATE

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 15th day of November, 2023 and that an agenda of said meeting was posted at the place of such meeting at 3:25 p.m. on the 4th day of March, 2024.

A handwritten signature in black ink, appearing to read 'Kari Speers', followed by a long horizontal line extending to the right.

Kari Speers, City of Durant



The City of Durant

Memorandum

Date: 3/5/2024
To: Mayor and City Council
From: Reed Aichholz, Community Development Director/Planner
Re: Consider Approval of February 6, 2024 Meeting Minutes

Council Information / Action Requested

Approval of February 6, 2024 Meeting Minutes

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. PC Minutes 2.6.2024

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 15th day of November, 2023 and that an agenda of said meeting was posted at the place of such meeting at 12:00 p.m. on the 5th day of February, 2024.



Kari Speers, City of Durant

MINUTES OF THE MEETING OF DURANT PLANNING COMMISSION
February 6, 2024 AT 5:30 PM, Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma

CALL TO ORDER

Chairman Jackson called the meeting to order at 5:34 pm.

INVOCATION/FLAG SALUTE

Chairman Horner provided the invocation. Chairman Newsom led the flag salute.

ROLL CALL

Present:

Planning Commissioner Thomas Newsom
Planning Commissioner Whitney Kerr
Planning Commissioner Clent Horner
Planning Commission Chairman Drew Jackson

Absent:

Planning Commission Vice Chairman Shane Knight

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

a. Consider Approval of January 2, 2024 Meeting Minutes

Motion was made by Commission Member Kerr and seconded by Commission Member Horner to approve the minutes as presented.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Horner, Jackson

Nays: None

2. Consider Items Removed from Consent

3. Information Items

4. Administration

5. Public Hearings

- a. Consider Approval of Replat Request by Vickie Stachowski for 4302 N. Washington Avenue

Discussion, Consideration and Possible Action on PC2024-02, a request from Vickie Stachowski for a replat of the property located at 4302 N Washington. Reed Aichholz reviewed with the Planning Commission members a request from Vickie Stachowski for a replat of the property located at 4302 N Washington. Applicant approached staff with the desire to divide the parcel between several family members and build a new residence at the front of the property. City Ordinance requires them to replant the property. The subject property, owned by the Stachowski family, is approximately 9.75 acres in total and is already split into 4 parcels among family members. They intend to create a minor change to the current parcels between 4 family members. Replating the property will document and allow the proposed property lines changes and easement access to all parcels. This type of replat would be considered a minor subdivide. The current Land Use Map has this area as Agricultural A-1 surrounded by lower density residential. The applicant will have to come back for a final plat should this be approved with public infrastructure. Notifications have been made to the surrounding property owners and at the time of this report staff has not received any letters or phone calls regarding this request.

Brandi Stachowski spoke in favor of this request.

Motion was made by Chairman Jackson and seconded by Commission Member Kerr to deny the request as presented.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Horner, Jackson

Nays: None

Abstain: None

- b. Consider Approval of Rezone Request by Vickie Stachowski for 4302 N. Washington Avenue

Discussion, Consideration and Possible Action on PC2024-02, a request from Vickie Stachowski for a rezone of the property located at 4302 N Washington. Reed Aichholz reviewed with the Planning Commission members a request from Vickie Stachowski for a rezone of the property located at 4302 N Washington. Applicant approached staff with the desire to divide the parcel between several family members and build a new residence at the front of the property. City Ordinance requires them to replat the property. The subject property, owned by the Stachowski family, is approximately 9.75 acres in total and is already split into 4 parcels among family members. They intend to create a minor change to the current parcels between 4 family members. Replating the property will document and allow the proposed property lines changes and easement access to all parcels. This type of replat would be considered a minor subdivide. The applicant will have to come back for a final plat should this be approved with public infrastructure. The current Land Use Map has this area as Agricultural A-1 surrounded by lower density residential. Notifications have been made to the surrounding property owners and at the time of this report staff has not received any letters or phone calls regarding this request.

Motion was made by Commission Member Horner and seconded by Chairman Jackson to approve the request as presented.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Horner, Jackson

Nays: None

Abstain: None

6. New Business

Reed Aichholz reviewed with the Planning Commission members and update regarding

the updates to city ordinances. Crafton Tull wants to continue with a new contract with a code writer of the cities approval to move forward with the code and ordinance over haul at their expense. Susan Henderson, with Placemakers was suggested to become the consultant under the circumstances of discussing to set up a special meeting with the new code writer. Special meeting date to be determined.

ADJOURNMENT

Motion made by Commission Member Horner and seconded by Commission Member Newsom to adjourn the meeting.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Horner, Jackson

Nays: None

Abstain: None



THE CITY OF DURANT

Office of Community Development

Date: 3/5/2024
To: Planning Commission
PC 2024 March: Ordinance Update
From: Reed Aichholz, Community Development Director
Re: Sign Ordinance Update

Attached are the current and proposed sign ordinances.

The intent of the new sign ordinance is to create more concrete definitions that are clear for our small businesses AND enforceable for our inspectors.

Consider the approval for changing the sign ordinance sections 158.01-158.15

The highlighted areas of change are within the definitions of temporary vs. permanent signs.

- [158.01](#) Purpose and intent.
- [158.02](#) Definitions.
- [158.03](#) Permit required
- [158.04](#) Binding Effect
- [158.05](#) Administration.
- [158.06](#) Variances.
- [158.07](#) Measurement.
- [158.08](#) Signs which do not require a permit.
- [158.09](#) Temporary signs and temporary sign permits.
- [158.10](#) Signs within the highway overlay district.
- [158.11](#) Comprehensive Sign Program
- [158.12](#) Permanent signs.
- [158.13](#) Nonconforming signs.
- [158.13](#) Street numbers required.
- [158.14](#) Inspections
- [158.15](#) Penalty.

[SCHEDULE OF SIGN REGULATIONS](#)

(see second temp. and perm. additional requirements)

158.01 PURPOSE AND INTENT.

The purpose of these sign regulations is to encourage the proper development and use of planned graphic signing systems and to permit and regulate signs in such a way as to support and complement land-use objectives set forth in the Zoning Ordinance. In addition to protecting from distractions and obstructions that can contribute to traffic and pedestrian accidents, it is the intent of these regulations that signs are as much subject to control as noise, odors, debris and like characteristics of a use that, if not controlled and regulated, can become a nuisance factor to adjacent properties or the community in general. To protect the general health, safety and welfare, and to protect and encourage a more attractive economic, business and overall physical appearance of the community, all signs and signing systems are subject to the regulations that follow in this chapter.

(Ord. 98-58. Passed _____)

158.02 DEFINITIONS.

As used in this chapter, the following words and phrases shall have the meanings herein.

- (a) "Awning" means a hood or cover that projects from the wall of a building and/or which can be retracted, folded or collapsed against the face of the supporting building.
- (b) "Banner" means a nonrigid cloth, plastic or canvas sign typically related to a special event or promotion. National flags, state or municipal flags shall not be considered banners. The official flag of any institution or business shall not be considered a banner.
- (c) "Billboard" means an off-premise outdoor pole sign exceeding 60 square feet in area.
- (d) "Canopy" means a projection from a building made from any material, which is cantilevered, suspended or supported on columns intended only for shelter or ornamentation.
- (e) "Changeable copy sign (manual)" means a sign, or portion thereof, on which characters, letters, or illustrations are changed manually in the field without altering the face or surface of the sign, including without limitation, a readerboard with changeable letters.
- (f) "Changeable copy sign (mechanical)" means a sign, or portion thereof, on which characters, letters, or illustrations are changed mechanically in the field without altering the face or surface of the sign.
- (g) "Clear Sight Triangle" means the triangular area formed by a diagonal line connecting two points located on intersecting lines of a right-of-way, easement of access, or pavement edge of an access drive, each point being 20 feet from the intersecting lines and extending vertically from a height of three (3) feet above grade to ten (10) feet above grade.
- (h) "Flag" means any fabric or bunting containing distinctive colors, patterns or symbols used as a symbol of a government or political subdivision.
- (i) "Flashing" means a sign or graphic which in any manner, as a whole or in part, physically changes in light intensity or gives the appearance of such change.

- (j) "Ground sign" means a free standing detached sign whose support structure is imbedded in the ground.
- (k) "Joint identification sign" means a sign intended to provide the identity or name, whether through logo, type, graphics or other symbols, for two or more uses within one building or on one property or the name of the building or its address for property occupied by two or more businesses.
- (l) "Informational window sign" means window signage with a total area of two square feet or less and bearing only information about entry and exit, business hours, authorized service representative information and/or discount and credit systems accepted in that establishment (e.g., American Express, MasterCard, Visa, Golden Buckeye Card, etc.).
- (m) "Marquee" means a canopy that provides additional loading for graphics.
- (n) "Menu board" means a permanently mounted sign displaying the bill of fare for a restaurant, drive-in or drive-thru restaurant or instructions or services for other drive-thru establishments.
- (o) "Moving sign" means any sign, all or any part of which physically moves up or down or sideways, revolves, or is animated so as to give the appearance of movement.
- (p) "Pennant" means a triangular shaped banner.
- (q) "Permanent residential subdivision identification signage" means those signage features specifically relating to the denotation of a major entrance or entrances to a residential subdivision.
- (r) "Permanent sign" means a sign intended to be erected and used or in fact which is used for a time period in excess of one year. (see 158.12 for further details)
- (s) "Portable sign" means a sign designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes.
- (t) "Projecting nameplate" means a sign indicating only the name and/or address of an occupant which extends outward perpendicular to the building face.
- (u) "Private traffic and on site directional signs" means a temporary or permanent sign that provides information regarding location, instructions for use, or functional/directional data.
- (v) "Roof line" means the lowest point of a roof which is closest to the ground.
- (w) "Roof sign" means a sign erected upon the roof of a building, any portion of which is above the roof line of the building.
- (x) "Sign" means a name, identification, description, 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. The word "sign(s)" as used throughout this chapter means sign(s) that are externally visible from adjacent properties or streets. Signage that is placed internally within a structure or building that is not externally visible shall be excluded from sign regulations.

- (y) "Streamer" means any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire, string or cord, usually in series, designed to move in the wind. A streamer may have pennants and/or banners attached.
- (z) "Temporary sign" means a sign intended to be used and in fact used for a time period of one year or less. (see 158.09 for further details)
- (aa) "Wall sign" means a sign attached to a building face, with the exposed face thereof in a plane parallel to the plane of the wall. Wall signs include painted murals, messages, graphics and other designs painted along with any letters or numerals mounted on buildings and any extensions thereon.
- (bb) "Window sign" means a sign, graphic, poster, symbol or other identification or information about the use or premises which is physically affixed to or painted on the glass or other structural component of the window or a sign, graphic, poster, symbols, or other identification or information about the use or premises erected on the inside of the building within 2 feet of the window and intended to be viewed through the window from the exterior of the premises.
- (cc) "Electronic message center (EMC)" means an electronic changeable copy sign or portion of sign that emits light to display messages and images, and whose variable message and/or graphic presentation capability can be altered from a remote location.
- (dd) "Nit" means a photometric unit of measurement of the amount of light a source emits. One nit is equal to one Candela per meter squared (cd/m²).
- (ee) "Owner" as used in Section [158.09](#) means the title holder of record for the property on which an EMC is located, or the legal representative of the title holder of record, or the user or operator of the EMC located on the property of the title holder of record.
- (ff) "Parcel" means a platted parcel or other tract of land separately identified with a unique parcel identification in the County Auditor's records.

(Ord. 98-58. Passed _____. Passed____.)

158.03 PERMIT REQUIRED.

All temporary and permanent signs to be erected, placed, constructed or modified within the City limits, except those specifically excluded herein, shall require a permit before work is initiated.

(Ord. 98-58. Passed _____.)

158.04 BINDING EFFECT.

After approval of a comprehensive or lot signage plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan. In case of any conflict between the provisions of such a plan and any other provision of this chapter, this chapter shall control.

(Prior Code, § 159.03) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

158.05 ADMINISTRATION.

(a) Application and Permit Procedure.

(1) Applications for sign permits shall contain the following information:

- A. Two copies of plans and/or blueprints to scale of signage including details of fastenings, lighting and any lettering, symbols or other identification which will be on the sign.
- B. A site plan of a proposed ground/pole sign location showing the distance from the public right-of-way and relationship to access drives, parking areas and buildings or a facade elevation of proposed wall or window signs showing the height and proportions of the sign.
- C. Any information peculiar to a particular sign application, which is necessary to uphold the provisions of this chapter.

(2) Except as otherwise provided above, all applications for sign permits shall be submitted to the Zoning Officer, who shall act on the application within 30 days of receipt of the completed application.

(b) Zoning Officer.

(1) The Zoning Officer shall regulate and enforce the requirements of this chapter, and shall be in charge of issuing all sign permits. Permits for signs subject to the approval of the Uptown Review Board shall not be issued until such approval is certified to the Zoning Officer.

(2) The Zoning Officer shall have the power to approve or disapprove all requests for temporary sign permits.

(3) No sign, except for municipally owned signs and signs authorized by the City Manager for community events and programs which are sponsored by nonprofit, public, educational, religious and charitable organizations, shall be placed in, on or above the public right-of-way including on utility poles. The Planning and Zoning Officer or his designee may effect removal of any sign illegally placed within the right of way of any road within the Municipality. The Planning and Zoning Officer shall maintain said sign for 5 days. If the owner fails to contact the Planning and Zoning Officer or claim the same sign within 5 days, said sign may be destroyed.

(c) Sign Fees. In order to defray the cost of examination of plans and inspections, an applicant for a sign permit and/or a variance shall pay a fee in accordance with the fee schedule adopted and approved by City Council.

(d) Abandoned Signs. Except as otherwise provided in Section [158.04\(a\)\(2\)](#), the Board of Zoning Appeals shall determine at public hearing when a sign is abandoned as is provided for in Section [158.10](#).

(Ord. 01-81. Passed _____.)

158.06 MEASUREMENT.

(a) Measurement.

(1) Sign area shall include the face of all the display area of the sign not including the bracing, framing and structural supports of the sign, unless such support members are made part of the message

or face of the sign or are determined by the Code Officer to be intended solely to make the sign more visible rather than serving any aesthetic or structural purpose. For internally illuminated signs or internally illuminated awnings, canopies or marquees, the entire lighted surface shall be considered the sign area. The lighted surface area of internally illuminated canopies, awnings or marquees is counted as signage regardless of whether it contains graphics.

(2) Where a sign has two or more display faces, the area of all faces of the sign shall be included in determining the area of the sign unless two display faces join back to back, are parallel to each other and not more than 24 inches apart, or form a V-angle of less than 45 degrees. For spherical signs, the sphere shall be dissected by an imaginary line through the center of the sphere and the surface area of the half sphere shall be counted as the sign face. For cubical signs, the area of all display faces shall be included in determining the area of the sign. See illustration on following page.

(3) The area of letters, numbers or emblems mounted on a building wall or wall extension shall be computed by enclosing such sign with the smallest single continuous perimeter around the letters, numbers or emblems and determining its area.

(4) The term frontage as used in calculating ground signs shall refer to the dimension of the lot along the street. The term frontage as used in calculating wall signs shall refer to the building wall dimension facing the street or parking lot.

(5) For structures and uses having no direct frontage on public roads, as within shopping centers, frontage shall be counted as the intersection of the building line onto adjacent drives or parking areas.

(Ord. 98-58. _____.)

158.07 SIGNS WHICH DO NOT REQUIRE A PERMIT.

The following signs may be erected without a permit:

- (a) Address and name of occupant of premises for a residential structure, not include designations as to employment or home occupation and to be limited in size to two square feet.
- (b) Signs required or authorized for a public purpose by any law, statute or ordinance, such signs to include traffic control devices provided that such signs contain no supplementary advertising.
- (c) On site directional signs indicating points of entry or exit for a facility or off-street parking area, provided such signs are limited to a maximum of two square feet in area and three feet in height and do not interfere with safe vehicular or pedestrian traffic circulation and are not located within the clear sight distance triangle. No more than two such signs are allowed per vehicular access point. Such signs may contain information such as "in", "enter", "entrance", "out", "exit", "do not enter" or similar language as approved by the Planning Administrator or his designee or arrows indicating desired traffic movement. Such signs may contain no advertising, including logos and must be of a rectangular shape. Such signs must be on the property to which they refer and may not be placed within a public right-of-way. Private Traffic and on site Directional Signs are excluded from total sign count.

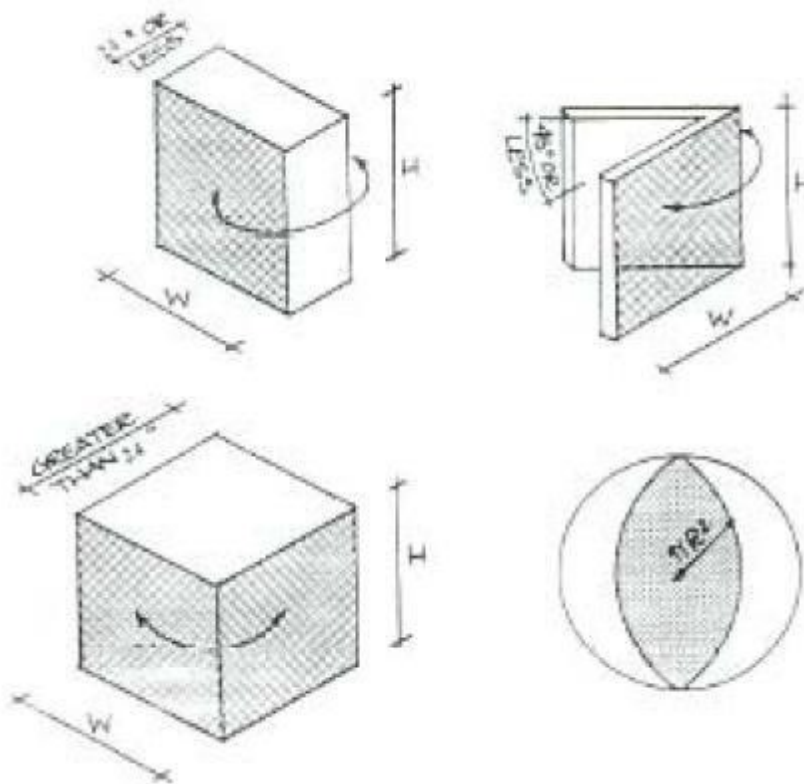
- (d) Signs, in all districts except for the Uptown District, which are in the nature of cornerstones, commemorative tables and historical signs, provided that such signs are less than nine square feet in size and not illuminated.
- (e) Signs clearly in the nature of decorations customarily associated with any national, local or religious holiday, to be limited to 60 days in any one year and to be displayed not more than 60 consecutive days. Such signs must meet the sign area limitations of the applicable zoning district. Such signs may be illuminated or animated provided that safety and visibility hazards are not created.
- (f) Political signs or posters concerning candidates for elective office, public issues and similar matters to be decided by public election. Such signs shall not exceed six square feet in area, shall not be illuminated, and shall not create a safety or visibility hazard, nor be affixed to any public utility pole or tree or be located within a public right-of-way. This section is not applicable to political campaign headquarters signs which shall require a temporary sign permit pursuant to Section [158.08](#).
- (g) Signs that indicate the sale, rental or lease of a particular one or two family residential structure or one or two family residential land area, to be limited in size to six square feet, with one sign allowed per street front. Such signs shall not be located in a public right-of-way, and shall not be illuminated. Signs advertising a one or two family residential structure or land area must be removed within 14 days after the sale, rental, or lease has occurred.
- (h) Informational window signs that are limited in size to two square ft. per sign.
- (i) Signs, in all districts except for the Uptown District, which are less than two square feet in size and mounted or attached flat or parallel onto a building face of an administrative, business or professional office building which denotes the name and address of an occupant in a building where more than one tenant is located and which has individual and separate entries.
- (j) A sign which advertises the sale of personal property such as a garage, yard, porch or moving sale sign provided that it is limited to one sign, not greater than four square feet in size and which sign is located on the sale premises for a time period not greater than two consecutive days. Such signs shall not be located in a public right-of-way.
- (k) Construction signs which display the identification of the contractors, architects and other construction principals and temporary development signs which shall include signs indicating or promoting the development of land, facilities, or structures. Construction and/or development signs shall not be illuminated. No more than one such sign shall be permitted per street frontage and such signs shall be installed on the property to which they refer. For sites having at least 100 feet of frontage on each of two public rights-of-way, a second sign may be permitted facing the second right-of-way if both signs comply with Code requirements. The two signs shall be no closer than 75 feet. The distance shall be measured by drawing two straight lines from the edge of each sign, forming a 90 degree angle. Such signs shall be limited to 32 square feet and 8 feet in height. They shall be placed at least 10 feet from any public right-of-way. In residential subdivisions, development signs must be removed when 75% of the lots in the first subdivision phase have received any certificate of occupancy or the permanent subdivision sign has been erected. For other than single family residential development, development signs must be removed when more than 50% of the space is rented, sold or leased. For construction signs in developed residential

neighborhoods, such sign shall conform to the size requirements of the zoning district in which they are located and must be removed upon completion of construction or the commencement of occupancy, whichever event occurs first.

- (l) Signs for community events and programs which last for a time period of 14 days or less and which are sponsored by nonprofit, public, educational, religious and charitable organizations. Four signs may be displayed during the event for a period of 14 days immediately preceding the commencement of the event. One sign may be located at the site of the event provided it does not exceed 24 square feet in size. All off-site signs shall not exceed 24 square feet in size and must be located on private property with the permission of the property owner. Each sign shall be placed at a different site and shall be removed not later than 48 hours after the scheduled activity. If the program or event is for a continuing period of time in excess of 14 days, only one sign, not larger than ten square feet, is permitted and such sign must be located either at the site of the event or program or at the location of the sponsoring organization.
- (m) Signs that indicate the sale, rental, or lease of a particular residential or non-residential undeveloped parcel over three acres in area, multi-family, commercial structure or industrial land area, to be limited in size to 16 square feet in area and eight feet in height, with one sign allowed per street front. They shall be placed at least ten feet from any public right-of-way, and shall not be illuminated. Individual tenant spaces within a parcel are allowed a window or wall sign in compliance with section [158.07\(n\)](#) and [158.08](#).
- (n) Temporary window signs that are limited in size to 25% of the window area in which it is placed, and which are not illuminated. Such signs may be placed only in ground level windows where no other temporary signs are placed and be limited to only one sign per window. Such signs may be displayed not more than 120 days per calendar year if they indicate or promote special sales or special occasions. The date upon which a temporary window sign is first displayed shall be legibly marked on the sign. It will be assumed that a sign has been displayed continuously from the date marked. Merchandise may be displayed within individual store display windows.
- (o) Business flags, not exceeding one per parcel and displaying the corporate or business emblem or seal, may be displayed if flown on a vertical staff or pole and in conjunction with the national flag. Such business flags shall be flown on the same staff or pole and below the national flag or on a separate staff or pole at a lower level than the national flag if such separate staff or pole is not in front of the national flag. The business flag shall not be larger than the national flag and in no instance exceed three feet in width or five feet in length. The business flag shall not display a product and shall contain no advertising copy.
- (p) Menu Boards, provided such signs are oriented solely for the use of patrons utilizing the drive-thru and are not intended to be visible from adjacent property or the right-of-way.
- (q) Messages displayed upon approved Manual Changeable Copy Signs provided for in Section [158.09\(b\)\(3\)](#) may be changed without permit.

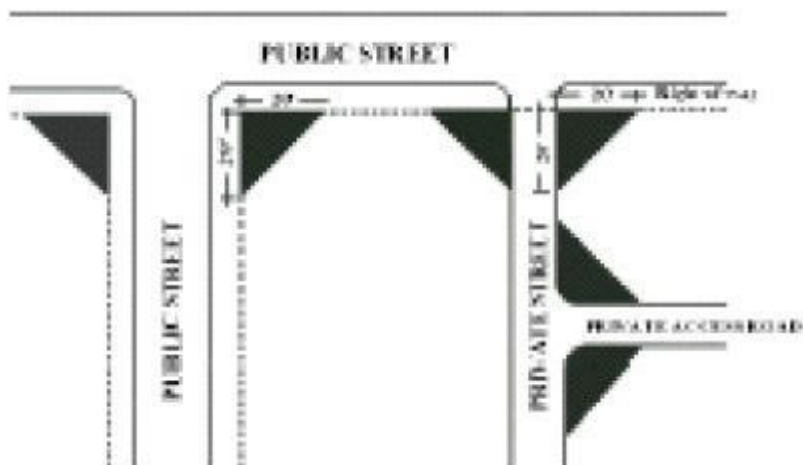
(Ord. 98-58. ____.)

Two Faces Count as One Sign Face



Each display counts as a separate sign area to be calculated as the projection of a spherical sign to a flat plane sign face. (as if cut in half).

Clear Sight Triangle



158.08 TEMPORARY SIGNS AND TEMPORARY SIGN PERMITS.

(a) General Restrictions for Temporary Signs.

- (1) All signs not previously exempted and are not permanent signs as provided shall require a temporary sign permit.
- (2) All temporary signs shall be issued permits subject to the restrictions set forth in the schedule of sign regulations of this chapter and the regulations required for permanent signs as is set forth.
- (3) Banners, temporary wall signs and pennants less than 16 square feet are permitted provided that they are attached at each corner, point and/or end so as to prevent movement. Banners may be attached to ground signs within the frame provided that they are attached at each corner, point and/or end so as to prevent movement. Streamers are prohibited. Only 1 banner is permitted per establishment. No business shall display such signs for more than 90 days per calendar year or for more than 30 continuous days. The date each sign is first displayed and the time period for which the sign will be displayed shall be legibly marked on the sign. The area of each banner shall not count toward the minimum sign area as specified in the Schedule of Sign Regulations.
- (4) All temporary signs shall be located at the site or location of the event being promoted or of the headquarters for the sponsoring organization except as otherwise provided for community events in Section [158.07\(l\)](#).
- (5) The construction requirement set forth in Section [158.09\(b\)\(5\)](#) shall not be applicable to temporary signs.

(b) Political campaign headquarters signs shall require a temporary sign permit and must meet the requirements of the district in which the headquarters is located.

(Ord. 98-58. Passed ____.)

158.09 SIGNS WITHIN THE HIGHWAY OVERLAY DISTRICT.

(A) *Purpose.* This section provides standards for off-site signs and on-site signs within the Highway Overlay District.

(B) *Applicability.* A sign permit shall be required for the establishment of any sign allowed under the provisions of this section.

(C) *Approval authority.* The Planning Commission and City Council shall have the authority to approve billboards through the conditional use permit process. The Director or his or her designee may approve all other signs.

(D) *On-site signs and billboards.* On-site signs located within the Highway Overlay District shall have a height restriction of 90 feet and maximum size of 300 square feet.

(E) *Billboards.* A billboard may be approved in compliance with this section. The following regulations are intended to encourage billboards that make a positive visual contribution to the overall image of the city.

(1) *Applicability.* An applicant may request the approval of a sign permit for a billboard only within the Highway Overlay Zoning District.

(2) *Highway Overlay District established.* A Highway Overlay District shall be established by this division. Off-premises signs shall only be permitted within the Highway Overlay District as defined as:

- (a) Seven hundred and fifty linear feet from the center line of U.S. Highway 69/75;
- (b) Seven hundred and fifty linear feet of center line of U.S. Highway 70 west of the intersection of U.S. Highway 70 and U.S. Highway 69/75;
- (c) Seven hundred and fifty linear feet of the center line of U.S. Highway 70 east of Sawmill Road; and
- (d) One thousand two hundred feet north of the center line of U.S. Highway 70 between U.S. Highway 69/75 and 250 linear feet west of the center line of University Place.

(E) *Off-premises signs.* Off-premises signs will only be permitted in commercial and industrial zoned districts, billboards only in the Highway Overlay District.

(F) *On-premises signs and billboards.* On-premises signs located within the Highway Overlay District shall have a height restriction of 90 feet and maximum size of 300 square feet. Billboards shall have a height restriction of 60 feet and maximum size of 750 square feet. The Highway Overlay District only takes precedence on sign height and billboards, all other district restrictions apply. All off-premises signs shall conform to the rules and regulation established by the state for outdoor advertising signs.

(G) *On-premises advertising.* Animated or moving, electronic reader board, or electronic graphics signs used for identifying a use, facility, service, or product that is not located, sold, or manufactured on the same premises shall have a height restriction of 60 feet and maximum size of 32 square feet. The Community Development Director may approve on-premises animated or moving electronic reader board or electronic graphics signs only in the C-2 District. Any other location must be approved by the Planning Commission.

(H) *Billboard location.* Billboards shall not be located within 500 feet of any of the following sites which are adjacent to any road (on the same side):

- (1) Public park;
- (2) Public forest;
- (3) Playground;
- (4) Cemetery;
- (5) Church;
- (6) School;
- (7) Historical battlefield; or
- (8) Rest area.

(I) *Planning Commission review required.* All signs that measure more than 100 square feet in size or more than 45 feet in height, measured from the ground elevation to the highest portion of the actual sign, within 300 feet of a residential district shall be first reviewed by the Planning Commission. All owners of real property located within a 300-foot radius of the proposed sign shall be given written notice and a notice shall be published in a local newspaper of general circulation at least 15 days and not more than 30 days prior to such public hearing. The notice shall contain a legal description of the actual site of the proposed sign, a street address of the property on which the proposed sign shall set upon, general design details (including height, size, and lighting placement) of the

proposed sign, and date, time, and place of the public hearing. In addition to the permit fee, a petition and other applicable fees as adopted by the City Council by motion or resolution, shall be paid by the applicant.

(J) *Height exceptions for monument ground signs.* On-premises signs located in the Highway Overlay District may petition the Planning Commission for an exception from the height requirements for a monument ground sign. Under no circumstance shall a monument ground sign exceed 20 feet in height as measured from the base of the sign. The Planning Commission shall take into consideration the setting and appearance of the sign in relation to the site and surrounding development. The Planning Commission may impose additional reasonable requirements and restrictions as a condition of approval. Approval may also be granted to allow signage for more than one tenant within a unified development to be located on the monument ground sign. In addition to the permit fee, a petition and other applicable fees as adopted by the City Council by motion or resolution, shall be paid by the applicant.

(K) *Welcome identification signs.* A welcome identification sign is an off-site sign for the identification of a specific church or civic organization. Welcome identification signs shall not:

- (1) Interfere with pedestrian or vehicular safety;
- (2) Detract from the pedestrian quality of the surrounding area; or
- (3) Add to an over proliferation of signs on one property or in an area.

(L) *Maintenance required.* The owner of the sign shall keep ongoing cleaning, maintenance, and repair of the sign.

(Prior Code, § 159.09) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

158.10 COMPREHENSIVE SIGN PROGRAM.

(A) *Purpose.* A comprehensive sign program is intended to integrate the design of the signs proposed for a development project with the design of the structures into a unified architectural statement. A comprehensive sign program provides a means for defining common sign regulations for multi-tenant projects, to encourage maximum incentive and latitude in the design and display of multiple signs, and to achieve, not circumvent, the intent of this chapter.

(B) *Applicability.* The approval of a comprehensive sign program shall be required whenever any of the following circumstances exist, or whenever an applicant requests the approval of a comprehensive sign program:

- (1) Two or more separate tenant spaces are to be created on the same parcel;
- (2) Five or more non-exempt signs are proposed for a new or existing development; and
- (3) The Director or his or her designee determines that a comprehensive sign program is needed because of special project characteristics (for example, the size of proposed signs, limited site visibility, a business within a business, the location of the site relative to major transportation routes, and the like).

(C) *Approval authority.* A comprehensive sign program shall be approved through the granting of a sign permit for a comprehensive sign program by the Director or his or her designee.

(D) *Application requirements.* A sign permit application for a comprehensive sign program shall include all information and materials required by the Department, and the filing fee set by the city's fee resolution.

(E) *Standards.* A comprehensive sign program shall comply with the following standards:

(1) The program shall comply with the purpose of this chapter, the sign design guidelines, and the overall intent of this section;

(2) The signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the comprehensive sign program, to the structures and/or developments they identify, and to surrounding development;

(3) The program shall accommodate future revisions that may be required because of changes in use or tenants; and

(4) The program shall comply with the standards of this chapter, except that flexibility is allowed with regard to sign area, number, location, and/or height to the extent that the comprehensive sign program will enhance the overall development and will more fully accomplish the purposes of this chapter.

(F) *Revisions to comprehensive sign programs.* Revisions to a comprehensive sign program may be approved by the Director or his or her designee if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new comprehensive sign program.

(Prior Code, § 159.15) (Ord. ____, passed____)

158.11 PERMANENT SIGNS.

(a) All permanent signs shall require a permit. Permitted permanent signs shall be classified into one of the three following types: wall signs; window signs; and ground signs.

(1) Wall signs may be erected on a building wall or extension of a building wall which faces a street, parking lot or service drive, and such sign may not extend beyond any building setback lines. Wall signs shall be attached parallel to the building face and extend outward perpendicular from the building face a maximum of ten inches except as follows:

A. Signs may be painted on an awning area or attached to a canopy or marquee which projects beyond the building provided that no part of such sign may extend above the roof line, canopy or marquee.

B. Projecting nameplates provided that:

1. The nameplate does not exceed four square feet in size; is placed not less than eight feet above the sidewalk or ground level; projects no more than three feet outward from the building face; and

2. Is used only by a business having its own separate and individual entrance and located in a building having no front yard or is used by a number of businesses which share a common entry way in a

building with no front yard and whose nameplate identifies the name and/or street address of the building, and not the names of the individual businesses.

(2) Ground signs, to include pole signs and other types of free standing signs, may be erected on a lot provided the location, height and other characteristics of the sign meet the regulations of this chapter. Only one ground sign per street front is permitted for any lot in any zoning district.

(3) Permanent window signs shall be limited to signs denoting the identification of the occupant, the address of the premises and its use. Except for the Uptown District where a business does not occupy first floor space, such signs shall be limited to use solely on the ground or first floor. Permanent window signs must comply with the Schedule of Sign Regulations.

(b) The following general requirements shall apply for characteristics of permanent signs:

- (1) Illumination. Illumination of signs shall be permitted in all districts. Illumination shall be from a concealed or indirect light source and shall not flash, blink, fluctuate, travel, move or in any manner fail to provide constant illumination and shall not create a hazard or visibility problem or interfere with or impair vehicular movement on any street from which the sign may be viewed. Illuminated signs shall be constructed and maintained so that the source of illumination is shielded or otherwise prevented from beaming directly onto adjacent properties or streets.
- (2) Animation or changeable copy signs (mechanical) and moving signs. Mechanical changeable copy signs, flashing signs, moving signs and the animation of signs are prohibited.
- (3) Manual changeable copy signs. Manual changeable copy signs shall be permitted on ground signs only. Manual changeable copy signs shall comprise no more than one third (33.3%) of the total area of the sign per side or ten square feet per side, whichever is more, and shall comply with the maximum height standards specified in the schedule of sign regulations, and shall be an integral part of the sign. In residential districts, manual changeable copy signs shall not be internally illuminated and may be illuminated only between 6:00 a.m. and 11:00 p.m.
- (4) Pennants, streamers, etc. No sign shall contain or consist of banners, pennants, ribbons, streamers or similar moving devices.
- (5) Construction. The construction of all signs, including any electrical wiring necessary for the operation of illuminated signs shall conform to the specifications of Part 13 of the Codified Ordinances of the City of Westerville except for Chapter 1, Section 4101:2-1-35 of the Ohio Basic Building Code. All signs shall be adequately maintained and shall not constitute a safety hazard. The sign faces of a sign shall be kept neatly painted or posted at all times and, where applicable, shall be painted or replaced with blank panel(s) when copy is removed.
- (6) Location.
 - A. All permanent signs shall be located on the site being promoted, identified or advertised. Off premise signs are prohibited.
 - B. In no case shall any part of a sign be placed in, over, or extend onto any public right-of-way except for projecting nameplates on lots where no front yard exists and for publicly owned signs such as traffic control and directional signs. In no case shall any part of a sign be placed in, over or extend above the roof line of any structure.
- (7) Maximum number, height, and area of signs. In addition to placement of signs, the heights, area and number of permitted signs allowed per use or lot shall be regulated by districts and uses as listed under the Schedule of Sign Regulations of this chapter, except as specifically regulated

elsewhere in this chapter. The height of a ground sign shall be measured from the established grade of the adjacent public street at the proposed sign location.

- (8) Joint identification signs. Joint identification signs shall be limited to wall or ground signs and to premises where there are two or more uses located on a property having frontage on at least one public street. If the property fronts on one street, only one joint identification sign is permitted. A second joint identification sign is permitted, if the property fronts on two streets provided that the frontage for each street is not less than one hundred lineal feet. Additionally, a second joint identification sign is permitted in the Uptown District if the premises has pedestrian access open to the public from parking facilities both in the front and in the rear of the property. The size of a joint identification sign shall not exceed a total of twenty-five square feet nor shall less than four square feet be utilized by any one occupant of the property.
 - (9) Billboards. Billboards are prohibited as off-premise signs.
 - (10) Roof signs. Roof signs are prohibited.
 - (11) Permanent residential subdivision identification signage.
 - A. Such identification shall be limited to wall mounted signs or graphics only, for example, with placement on a brick wall, railroad ties, entrance columns on each side of a street or on a similar architectural or landscaping entrance feature that may be used. The reverse sides of identification features shall be finished to match the fronts. Pole type signage is hereby prohibited. Sign copy shall be limited to the name and logo of the subdivision. One manual changeable copy sign is permitted per entrance. Manual changeable copy signs are to be mounted on the rear of an entrance feature. Maximum area for residential manual changeable copy signs is four square feet.
 - B. Such identification features may not be located in the public right-of-way. Under no circumstances shall such feature be located in the tree lawn nor the clear sight triangle defined in Section [158.02](#), nor impair the future utilization or expansion of public streets.
 - C. The maximum area for such identification is 20 square feet at any one entry location. A maximum of one permanent residential subdivision identification sign is permitted on each side of the street at each entry location to a development.
 - D. No part of any such sign shall be closer to any public right-of-way than ten feet.
 - E. Applications for permanent subdivision identification signs must demonstrate provisions for future maintenance and maintenance easements at the time of final platting. Written consent of the property owner of each proposed sign location shall be submitted with each permit application.
- (c) Electronic Message Centers. Electronic message centers ("EMCs") are conditionally permitted in all zoning districts subject to the provisions of the following:
- (1) General.
 - A. Not more than one EMC shall be permitted on a parcel, provided such parcel must be a minimum of 20 acres.

B. The EMC shall be the only changeable copy (manual or otherwise) on the parcel.

(2) Setbacks.

A. Minimum setback from the right-of-way: ten feet.

B. Minimum setback from each side lot line: 300 feet.

(3) Maximum size: ten square feet or 50% of the overall ground sign size, whichever is more.

(4) Message timing.

A. Minimum display time ("dwell time"): Each message shall appear static for a minimum of eight seconds.

B. Transition time: The transition from one message to another shall be as instantaneous as possible, and the EMC shall not display a blank screen between messages for more than one second before the next message appears.

(5) Brightness:

A. Maximum daytime brightness: between sunrise and sunset, luminance shall not exceed 3,000 nits.

B. Maximum night time brightness. From sunset to 11:00 p.m., and from 5:30 a.m. to sunrise the EMC shall automatically adjust luminance to a maximum of 100 nits. Nighttime is calculated to Durant, Oklahoma for either of the following times:

1. Civil dusk to civil dawn as established by the National Weather Service or other similar reliable source; or

2. Thirty minutes after apparent sunset and 30 minutes prior to apparent sunrise as established by the National Oceanic and Atmospheric Administration.

C. Automatic shut off. The EMC shall not emit any light between 11:00 p.m. and 5:30 a.m.

(6) Letter sizing.

A. Letters shall not be smaller than six inches in height.

B. Letters shall be of an appropriate width proportionate to height so as to be clearly legible.

C. Not more than six rows of text shall be displayed at any one time.

(8) Visual effects prohibited. The manipulation or changing of portions of the EMC to produce an illusion of movement, or other effect is prohibited. Examples of prohibited effects include but are not limited to:

A. Dissolve: An effect accomplished by varying the light intensity and pattern in which an effect in which one message gradually appears to dissipate and lose legibility with the gradual appearance and legibility of the second message.

- B. Fade: An effect accomplished by varying the light intensity, where a message gradually reduced intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
- C. Sequencing: An effect where a message is not completed in one display, and is continued on a subsequent display.
- D. Dynamic frame effect: an effect in which the illusion of motion and/or animation is used.
- E. Blink or flash: an effect characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination.
- F. Patterned illusionary movement: an effect characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.
- G. Scroll: an effect in which a message appears to move vertically across the display surface.
- H. Travel: an effect in which a message appears to move horizontally across the display surface.
- I. Video: the display of photographic images in sequence.

(9) Operating regulations.

- A. Maintenance: Regular maintenance is required to ensure that each component and part operates as designed. If more than 10% of the illumination area are not functioning, the use of EMC shall cease until it is repaired and fully-functioning.
- B. Content: The owner shall be responsible for all messages displayed. Messages that include content that either the United States Supreme Court or the Ohio Supreme Court has found may lawfully be prohibited because such content is not considered to be speech protected under either the Federal Constitution or the Constitution of the State of Ohio (including but not limited to, speech that is obscene, an incitement to imminent violence, or defamatory) are not allowed.
- C. Security: Reasonable means shall be used to control and secure access to messaging capabilities to ensure that those messages approved by the property owner are displayed.
- D. Contact person: Owner shall maintain on record with the City Planning Division the name, telephone number, and email address of a primary and secondary individual to serve as a personal contact, each of whom has direct access to the EMC control, and shall promptly update as necessary. These individuals must be empowered to quickly ensure that compliance with these guidelines or other lawful order is achieved.

(10) Approval process.

- A. Except as provided in division (c)(10)B.2. below, all persons desiring an EMC shall submit an application for a conditional use and proceed in accordance the aforementioned provisions in 158.09. The person shall also file an application for a sign permit pursuant to Section [158.04](#).

B. An EMC that is only capable of displaying static monochromatic numerals (e.g. "price panels," "time/temperature displays") may be approved by the Zoning Officer in accordance with Section [158.04](#), provided such EMC complies with divisions (e)(5) through (9)A. above. For purposes of this section:

1. "Static" means the changeable copy displayed by a price panel does not change more than once per day and the changeable copy for a time/temperature display changes only when the time or temperature changes.
2. "Monochromatic" means the changeable copy is only capable of displaying a single color on a black background.
3. "Numerals" means the changeable copy is only capable of displaying numerical digits and symbols or single letters denoting a unit of measurement. (Ord. 98-58. Passed 1-19-99; Ord. 2018-11. Passed _____.)

158.12 NONCONFORMING SIGNS AND ILLEGAL SIGNS.

(a) The continuance of an existing sign which does not meet the regulations and requirements of this chapter shall be deemed a nonconforming sign which shall terminate by abandonment. A sign shall be considered abandoned:

- (1) When the sign is associated with an abandoned use.
- (2) When the sign remains after the termination of a business. A business has ceased operations if it is closed to the public for at least 90 consecutive days and no active building permit is on file for remodeling or reconstruction. Seasonal businesses are exempt from this determination.
- (3) When the sign is not maintained or does not conform to the following:

A. All signs, together with all supports, braces, guys and anchors shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be subject to periodic inspection.

B. Every sign and the immediately surrounding premises shall be maintained by the owner or person in charge thereof in a clean, sanitary and inoffensive condition free and clear of all obnoxious substances, rubbish and weeds.

J. Should any sign be or become unsafe or in danger of falling, the owner thereof or the person responsible for maintaining the sign shall proceed at once to put such sign in a safe and secure condition or shall remove the sign. When the Code Enforcement Officer or his designee finds, upon investigation, that a sign is unsafe or unsound structurally, he shall notify the owner of said sign, together with the owner of the land on which the sign is located, by certified mail of his findings. Such notice shall advise the owner that the sign has been declared abandoned and/or unsafe and/or structurally unsound and must be removed with ten (10) days for an unsafe or structurally unsound sign. The owner may request an opinion as to the existence of a violation from the Planning and Zoning Commission. If an unsafe, or structurally unsound sign is not removed as ordered and the owner has not requested an opinion as to the existence of the violation from the Board of Zoning Appeals, the same may be removed at the expense of the lessee or owner after ten (10) days of notice for an unsafe or structurally unsound sign. If the Municipality is not immediately reimbursed for such costs, the amount thereof shall be certified to

the County Auditor for collection as a special assessment against the property on which the sign is located.

(4) Abandonment shall be determined based upon the above definitions, at a public hearing of the Board of Zoning Appeals. Upon a finding that the signage is abandoned, the right to maintain and use such sign shall terminate immediately.

(b) A nonconforming sign shall not be structurally relocated or replaced unless it is brought into compliance with the provisions of this chapter. Should any replacement or relocation take place without being brought into compliance, the sign shall be existing illegally.

(c) A nonconforming sign shall be maintained as required in accordance with the following provisions:

(1) The size and structural shape shall not be changed or altered. The copy may be changed provided that the change applies to the original nonconforming use associated with the sign and that the change is made by the owner of the sign at the time the sign became nonconforming; the copy area shall not be enlarged. Any subsequent owner or user shall bring the sign into compliance within 30 days.

(2) In case damage occurs to the sign to the extent of 50% or more of either the structure or the replacement value of the sign, the sign shall be brought into compliance. Where damage in the sign is less than 50% of the structure or its replacement value, the sign shall be repaired within 60 days.

(d) If any sign is installed, erected, constructed or maintained in violation of any provision of this Chapter, except for nonconforming signs in compliance with Section [158.10](#), the Code Enforcement Officer or his designee shall notify the owner or user thereof to comply with the provisions of this chapter by certified mail. If the owner or user fails to comply with such notice, and the owner has not requested an opinion as to the existence of the violation from the Board of Zoning Appeals, or, after a reasonable search, cannot be found, the Planning and Zoning Officer or his designee shall cause such graphic or such portion thereof as is constructed or maintained in violation of this chapter to be taken down; the expense of which shall be paid by the owner or user. Unless clearly specified otherwise, the property owner will be considered to be the presumptive owner of said sign. However, nothing herein contained shall prevent the Planning and Zoning Officer or his designee from adopting such precautionary measures as may seem to him necessary or advisable in case of imminent danger to place the graphic in safe condition, the expense of which shall be paid by the owner of the premises or recovered against him in the manner as further described in this section.

No owner or person in charge, possession or control of the temporary sign(s) mentioned in [Chapter 158](#) shall fail to comply with notices within five (5) days of mailing of the notice. No owner or person in charge, possession or control of permanent sign(s) mentioned in [Chapter 158](#) shall fail to comply with the notices provided within twenty-one (21) days of mailing of the notice.

If a violation of a provision of this Chapter is repeated within 90 days of a previous violation of the same provision of this Chapter by the owner or user subject of the previous violation on the same property as the previous violation, such sign may be seized immediately and a charge assessed for removal without additional notification.

Fees for removal shall be immediately due and payable to the Municipality. Notice of such assessment shall be given to the owner or user by mailing such notice to the address utilized by the County Treasurer for tax billing purposes and by posting a Notice of Assessment at the subject premises where the sign owner and property owner are the same. All assessments not paid within ten (10) days after such mailing and posting, after approval by Council, shall be certified by the Finance Director to the County Auditor to be placed on the tax duplicate and collected as other taxes are collected.

The City may also collect such costs together with interest through a civil action in the appropriate court of law having jurisdiction thereof and seek such additional orders from a court of competent jurisdiction as may be necessary from time to time in order to enforce the provisions of this section.

Every owner or occupant of real estate in the Municipality impliedly grants a license to the Planning and Zoning Officer, his designee or Municipal employees to enter upon real property in the Municipality without the consent of the owner or user for the purposes of fulfilling the provisions of this section.

(Ord. 98-58. Passed ____.)

158.13 STREET NUMBERS REQUIRED.

An owner, occupant or person having control of a residential, industrial, commercial or public building shall display the numerical address of the building in Arabic numbers not less than four inches in height.

- (a) The color of the numbers shall contrast to the color of the surface on which they are mounted and the numbers shall be clearly visible from the street on which the building is numbered.
- (b) The numbers shall be placed on the front of the building facing the street on which the building is numbered.
- (c) For buildings not having entrance doors facing the street on which the buildings are numbered, numbers of all units within such building shall be placed either on the wall of the building facing the street on which the building is numbered or on a sign in compliance with this chapter.
- (d) The owner of a residential building may post additional sets of address numbers provided that one set complies with the provision of this section.
- (e) Whoever violates this section or any part thereof, upon being notified in writing of such violation by the Code Enforcement Officer, shall have 30 days in which to comply with the provisions of this section. Upon expiration of the 30 days and failure to comply with the provisions of this section within that period the owner, occupant or person having control of a building shall be deemed in violation. Each subsequent day shall constitute a separate violation.

(Ord. 98-58. Passed ____.)

158.14 INSPECTIONS.

The city shall inspect the zone lot for which a permit for a new sign or for modification of an existing sign is requested and/or issued. This inspection shall occur within a reasonable time of notification by the contractor, owner, and the like of completion of the specific sign. If the construction is substantially complete but not in compliance with this chapter and applicable codes, the city shall give the owner or applicant notice of the deficiencies and shall allow an additional 30 days from the date of inspection for the deficiencies to be corrected. If

the deficiencies are not corrected by such date, the permit shall lapse. Once the sign is constructed and meets city's Building, Electrical and Mechanical Codes and ordinances, the city shall affix to the premises and/or sign a permanent symbol identifying the sign and the applicable permit by number or other reference.

(Prior Code, § 159.13) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

158.15 PENALTY.

(a) Any person, firm, corporation, partnership, or association violating any provision of this chapter or failing to obey any lawful order or failing to obey any lawful order issued pursuant to its terms shall be fined not more than \$100.00. Each day during which such violation continues may be deemed a separate offense.

(b) An organization may be convicted of a violation of a provision of this chapter under any of the following circumstances:

(1) The offense is a minor misdemeanor committed by an officer, agent or employee of the organization acting in its behalf and within the scope of his office or employment, except that if the section defining the offense designates the officers, agents or employees for whose conduct the organization is accountable or the circumstances under which it is accountable, such provision shall apply.

(2) A purpose to impose organizational liability plainly appears in the section defining the offense, and the offense is committed by an officer, agent or employee of the organization acting in its behalf and within the scope of his office or employment, except that if the section defining the offense designates the officers, agents or employees for whose conduct the organization is accountable or the circumstances under which it is accountable, such provisions shall apply.

(3) The offense consists of an omission to discharge a specific duty imposed by law on the organization.

(4) If, acting with the kind of culpability otherwise required for the commission of the offense, its commission was authorized, requested, commanded, tolerated or performed by the board of directors, trustees, partners or by a high managerial officer, agent or employee acting in behalf of the organization and within the scope of his office or employment.

(c) Regardless of the penalties provided in subsection (a) hereof, an organization convicted of a violation or a provision of this chapter shall be fined, which fine shall be fixed by the court as follows:

Type of Misdemeanor

Maximum Fine

All degrees

\$1200



The City of Durant

Memorandum

Date: 3/5/2024
To: Mayor and City Council
From:
Re: Administration

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:



The City of Durant

Memorandum

Date: 3/5/2024
To: Mayor and City Council
From: Kari Speers, Community Development Admin
Re: PC2024-03 Consider Approval of Final Plat Request by Dale Construction Inc for 49th and South of Railroad

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. PC2024 3 Final Plat Dale Goad Staff Report 3 5 24
2. PC2024-03 MAPS
3. FINAL PLAT
4. Rural Water Letter



THE CITY OF DURANT

Office of Community Development

Date: 3/5/2024
To: Planning Commission
Case: PC 2024-3
From: Reed Aichholz, Community Development Director
Re: Final Plat Request for Dale Goad

Request: Consider a request from Dale Goad for the approval of a Final Plat at N 49th Avenue.

Current Zoning: A1- Agricultural

Surrounding Properties:

Direction	Zoning	Use
North	I-1	Light Industrial
East	I-1	Light Industrial
South	I-1	Light Industrial
West	I-1	Light Industrial

Lot Characteristics:

Width	~ 650 ft (varying)
Depth	~ 1000 ft
Total Area	~ 8.1 acres

Applicant: Dale Goad

Background: Applicant approached staff for the approval of a preliminary plat in January of 2024 for the development of 18 light industrial lots broken into 3 phases. Both Planning Commission and City Council approved this preliminary plat subject to the addition of an easement to through the southern parcel adjoining West Main Street.

Analysis: Since preliminary approval, Mr. Goad has granted the City emergency service easement access (see attachment). The proposed plat has several variances from code: 1) Commercial Easements are noted to be 80', but this plat shows 50'. 2) The Cul-de-sac has a 96' radius instead of 100' (approved by Fire Marshal). 3) There were several questions previously about fire hydrant locations and where rural water 2 needed them. (300 feet apart)

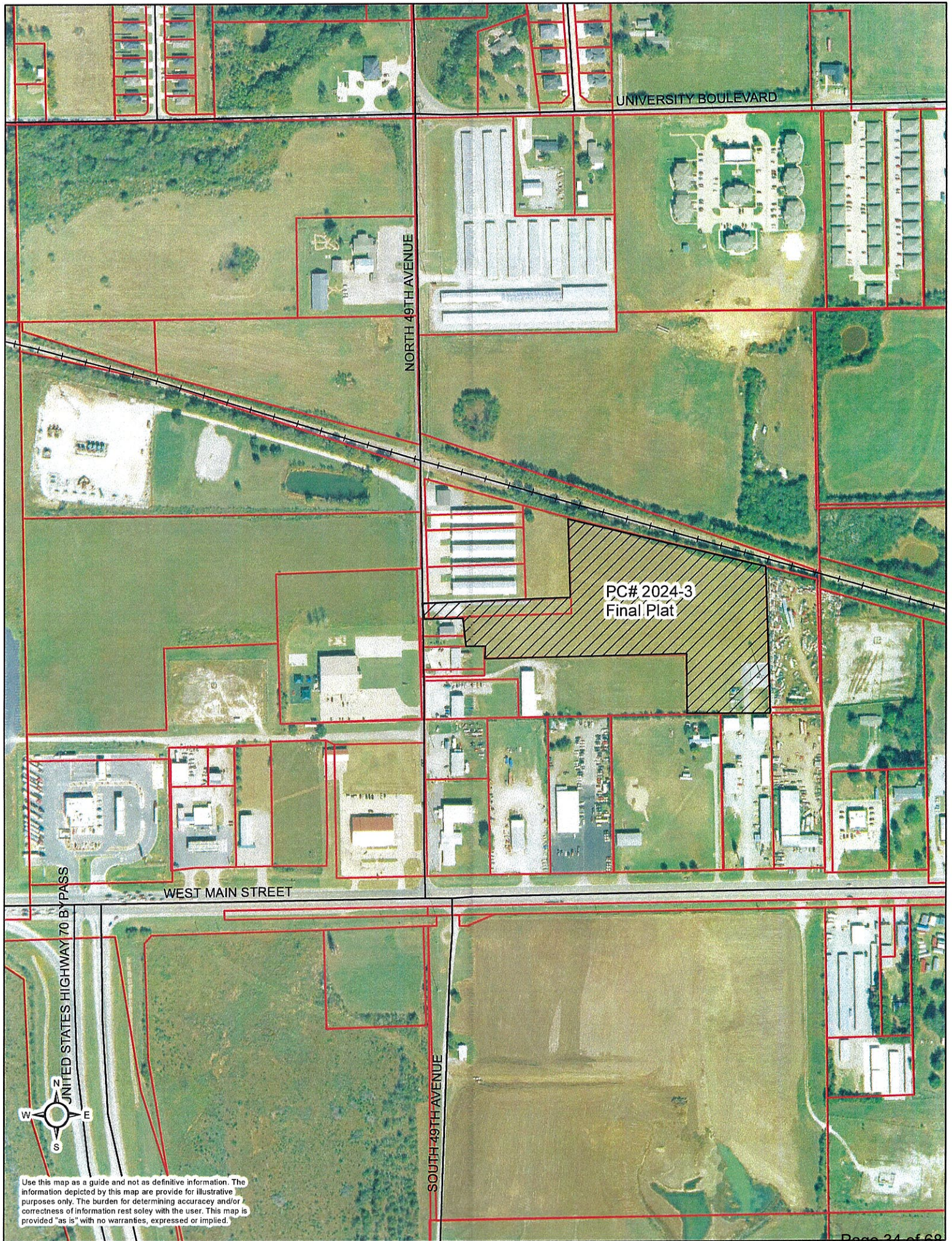
The current Land Use Map has this area as Light Industrial – I-1 surrounded by industrial.

The future land use map shows the area to be mixed-use Commercial/Residential.

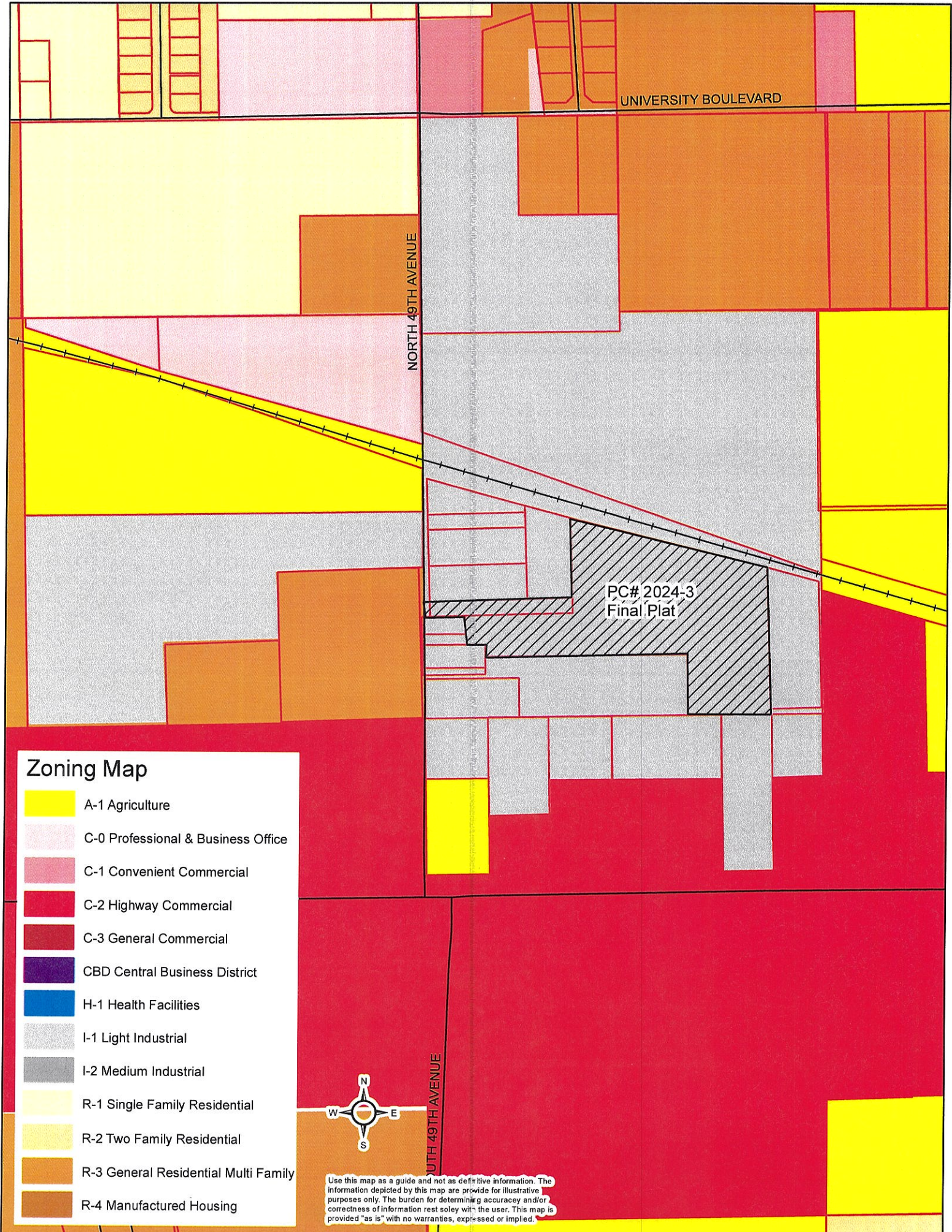
Fire Marshal had comments regarding how future lots are brought on AND rural water, because currently, rural water is permitting 8 lots to have service.

Staff Recommendation: The applicant has a preliminary plat that is approved and has provided requests of the City Council.

Required Action: Hold a public hearing and recommend approval or denial for the final plat application of Dale Goad on N. 49th Ave.



Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest soley with the user. This map is provided "as is" with no warranties, expressed or implied.



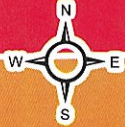
UNIVERSITY BOULEVARD

NORTH 49TH AVENUE

PC# 2024-3
Final Plat

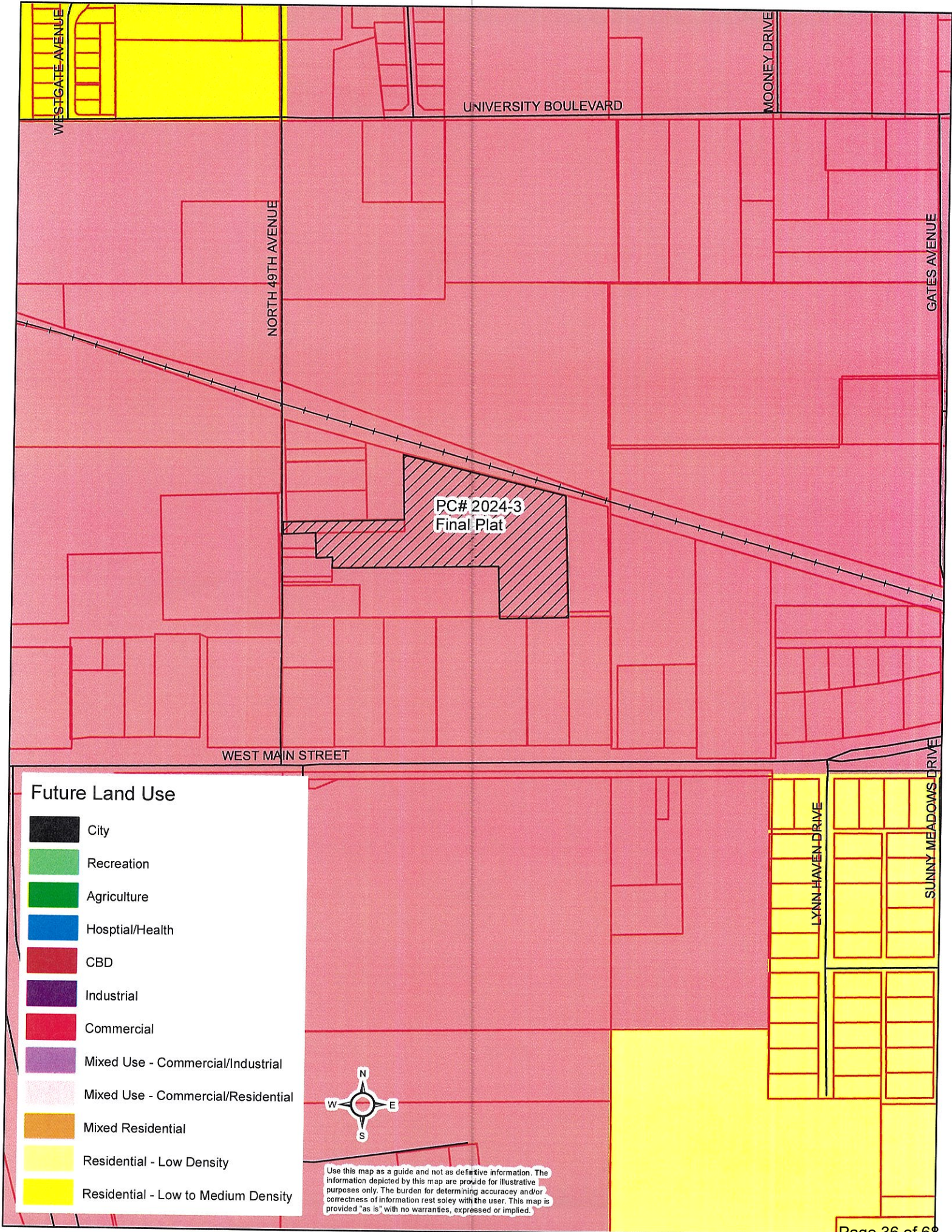
Zoning Map

- A-1 Agriculture
- C-0 Professional & Business Office
- C-1 Convenient Commercial
- C-2 Highway Commercial
- C-3 General Commercial
- CBD Central Business District
- H-1 Health Facilities
- I-1 Light Industrial
- I-2 Medium Industrial
- R-1 Single Family Residential
- R-2 Two Family Residential
- R-3 General Residential Multi Family
- R-4 Manufactured Housing



SOUTH 49TH AVENUE

Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.



Dale Goad Industrial Park

4 messages

rwd2@totalnet.us <rwd2@totalnet.us>
Reply-To: rwd2@totalnet.us
To: jhenderson.304technical@gmail.com
Cc: Dale.Goad@gmail.com

Mon, Aug 28, 2023 at 2:08 PM

Jason,

Dale Goad came by to visit with me today in order to get a status on his 3 phase Industrial Park. He informed me that these will only be warehouses and their water use should be around 2,000 gallons per month per building. He had planned to attend the Durant City Council Meeting in September, but he has to have a letter from us stating that we will serve this area before they allow him to do anything. Can you give me a status and possibly a letter?

Thanks for all you do,
Regina

**RURAL WATER
BRYAN COUNTY
DISTRICT #2**

Dale Goad New Sub..png
3782K

Jason 304 Technical <jhenderson.304technical@gmail.com>
To: rwd2@totalnet.us
Cc: Dale.Goad@gmail.com

Mon, Aug 28, 2023 at 9:21 PM

Regina,

Please see attached letter for Dale Goad. Please note the fire protection in this area is 500 gpm at the moment and I am approving the service to the lots. Should the waterline be extended into the property that the District will maintain then we will need to review those plans. I was not sure if this property had a master meter at 49th or if the water line was being extended that will be owned and maintained by the District.

Please let me know if you have any questions.

Thank You,
Jason Henderson, P.E.
304 Technical Services, LLC.
12515 Carriage Way
Oklahoma City, OK 73142
Jhenderson.304Technical@gmail.com
405-365-0952



CONSULTING ENGINEERS
405-365-0952
Jhenderson.304Technical@gmail.com

August 28, 2023

Mrs. Regina Clinton, Manager
Bryan County RWS & SWMD No. 2
P.O. Box 119
Mead, OK 73449

RE: Dale Goad Industrial Park Phase III
49th and South of Railroad
Hydraulic and Plan Review

File: 2023.05

Dear Regina:

We recommend approval of the Dale Goad Industrial Park Phase III that includes eight (8) lots. This project will be serving minimal usage water customers in a warehousing condition. The owner indicates less than 2,000 gallons per month will be used per building.

The property will have 500 gpm fire protection available that is currently set aside in the hydraulics of the area. The property lot map does not show waterlines extending into the property so if a master meter is set at 49th Street to serve this property no further review will be required by engineering. Should the developer extend the waterline in which the District will maintain then we will need to review the design and easements for the project within the boundaries of the property.

Please let me know if you have any questions.

Sincerely,

304 TECHNICAL SERVICES, LLC.

A handwritten signature in black ink, appearing to read 'Jason E. Henderson', is written over the company name.

Jason E. Henderson, P.E.



The City of Durant

Memorandum

Date: 3/5/2024
To: Mayor and City Council
From: Kari Speers, Community Development Admin
Re: PC2024-06 Consider Approval of Rezone Request by Monica Uber for Property Located at 711 Blanchard.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. PC2024 6 711 Blanchard Rezone Staff Report 3 5 24
2. PC2024-06 MAPS



THE CITY OF DURANT

Office of Community Development

Date: 3/5/2024
To: Planning Commission
Case: PC 2024-6
From: Reed Aichholz, Community Development Director
Re: Rezone Request by Monica Uber at 711 Blanchard

Request: Consider a request from Monica Uber Rezoning of 711 Blanchard from C-2 to R-2

Current Zoning: C-2

Surrounding Properties:

Direction	Zoning	Use
North	C-2	Highway Commercial
East	C-2	Highway Commercial
South	C-2	Highway Commercial
West	C-2	Highway Commercial

Lot Characteristics:

Width	~ 200 ft
Depth	~ 200 ft
Total Area	~ 1 acre

Applicant: Monica Uber

Background: Applicant approached staff for the approval of a rezone from C2 to R2.

Analysis: The property has single family residential (R-1) nearby and is surrounded by Highway Commercial (C2) property. The future land use does not show much if any change from current zoning. Although C-2, all properties to the east are residential in nature. The west adjacent property is a learning center which is complementary to zoning changes.

One thing to take into consideration is how leadership views future use along 9th avenue. Any eminent domain would significantly influence this lot.

Staff commented that the sewer capacity is not sufficient but could be extended from Stonebrook Cir.

Staff Recommendation: Staff recommends approval of rezone.

Required Action: Hold a public hearing and recommend approval or denial for the rezoning of 711 Blanchard



PC# 2024-6
Change from C2 to R2

SOUTH 9TH AVENUE

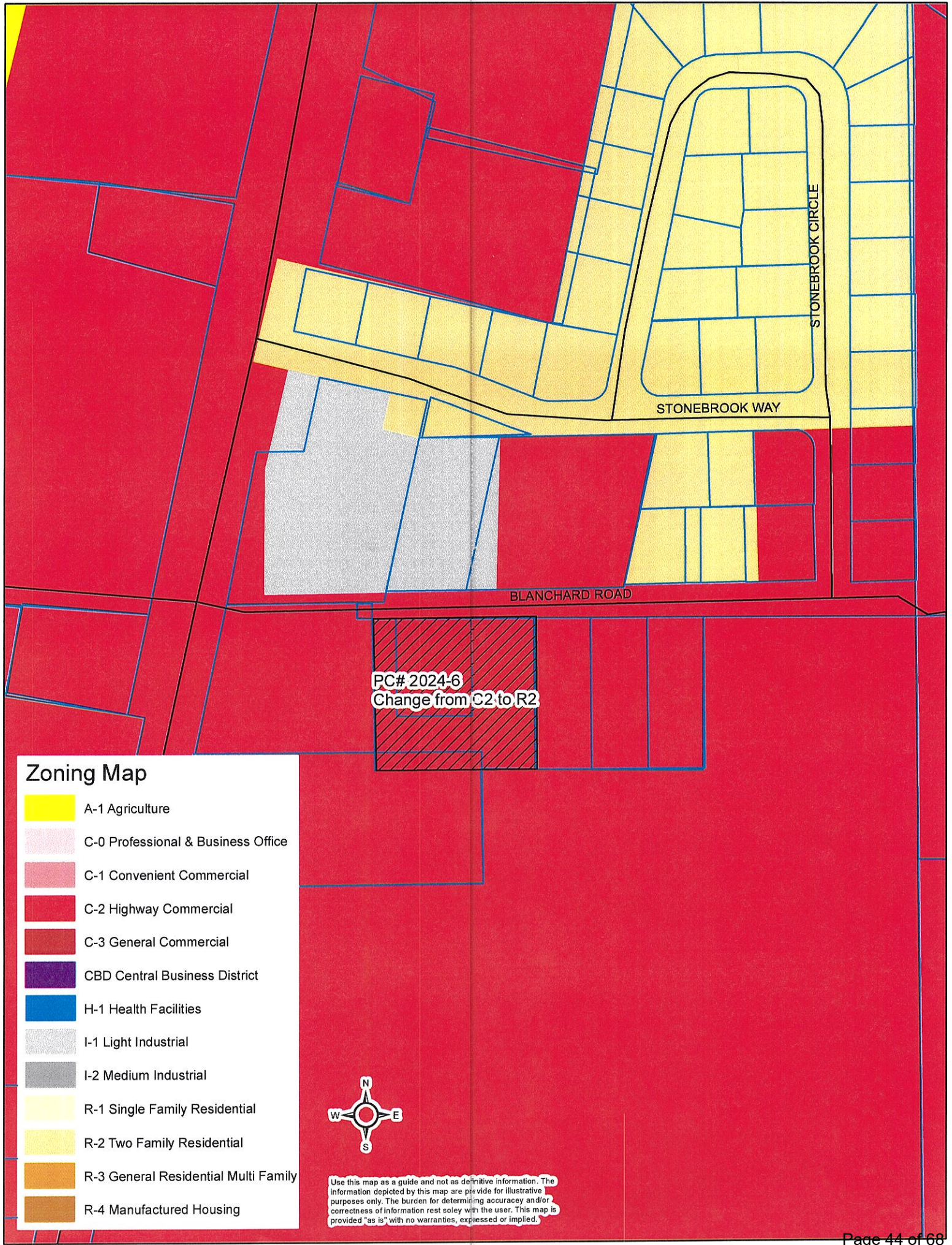
STONEBROOK WAY

BLANCHARD ROAD

STONEBROOK CIRCLE



Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest soley with the user. This map is provided "as is" with no warranties, expressed or implied.

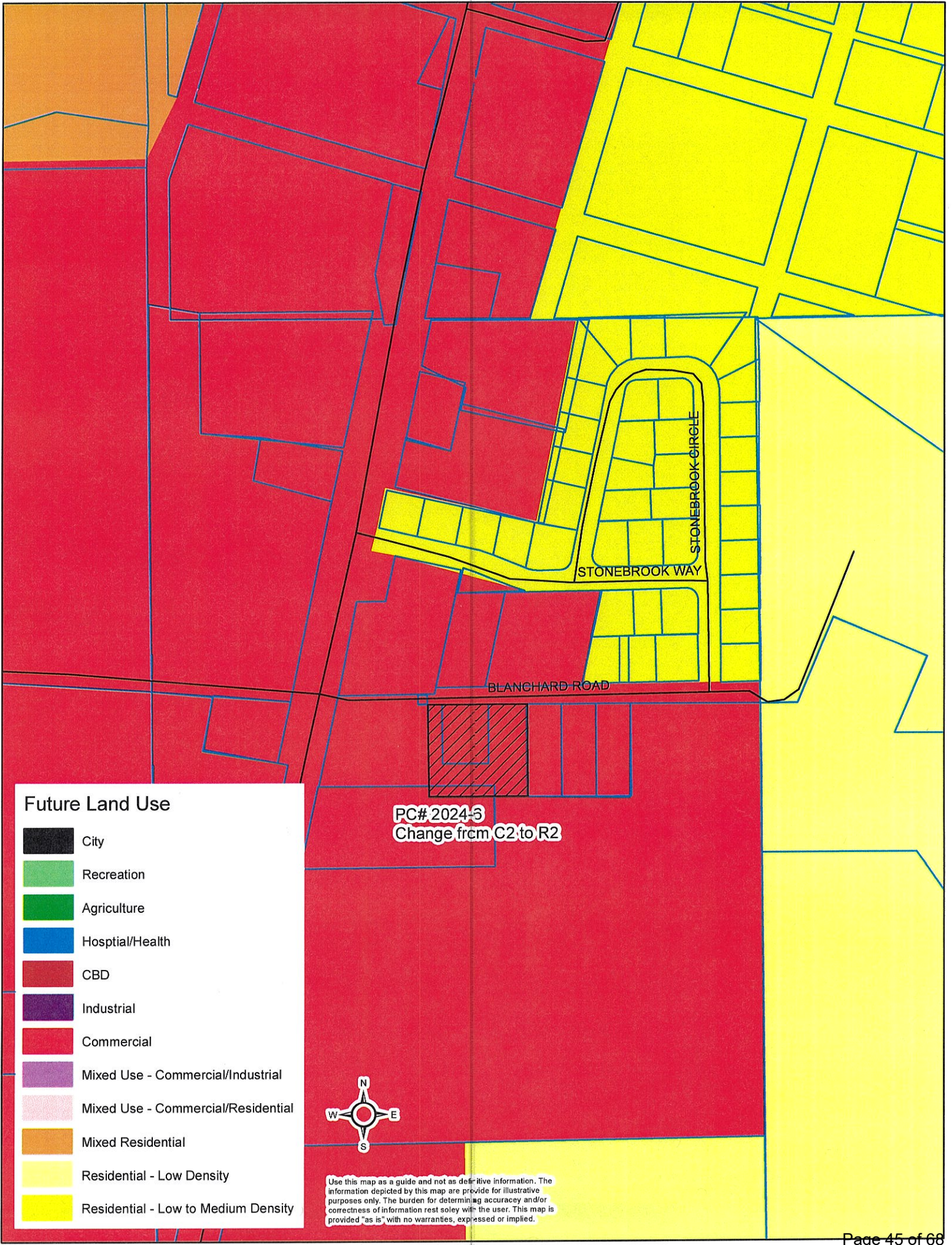


Zoning Map

- A-1 Agriculture
- C-0 Professional & Business Office
- C-1 Convenient Commercial
- C-2 Highway Commercial
- C-3 General Commercial
- CBD Central Business District
- H-1 Health Facilities
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- R-3 General Residential Multi Family
- R-4 Manufactured Housing



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Future Land Use

- City
- Recreation
- Agriculture
- Hospital/Health
- CBD
- Industrial
- Commercial
- Mixed Use - Commercial/Industrial
- Mixed Use - Commercial/Residential
- Mixed Residential
- Residential - Low Density
- Residential - Low to Medium Density



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The City of Durant

Memorandum

Date: 3/5/2024
To: Mayor and City Council
From: Kari Speers, Community Development Admin
Re: PC2024-07 Consider Approval of Final Plat Request for Sunstar LLC for Property Located Near Larkspur Lane

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. PC2024 7 Sunstar LLC Staff Report 3 5 24
2. PC2024-07 MAPS
3. Heritage North Mylar 022024 to city zoning sheet 1 of 2
4. Heritage North Mylar 022024 to city zoning sheet 2 of 2
5. RURAL WATER LETTER (3)



THE CITY OF DURANT

Office of Community Development

Date: 3/5/2024
To: Planning Commission
Case: PC 2024-7
From: Reed Aichholz, Community Development Director
Re: Final Plat Approval from Sunstar LLC

Request: Consider a request from Sunstar LLC

Current Zoning: R-1

Surrounding Properties:

Direction	Zoning	Use
North	R-1	Single Family Residential
East	R-1	Single Family Residential
South	R-1	Single Family Residential
West	A-1	Agricultural

Lot Characteristics:

Width	~ 1200 ft
Depth	~ 1300 ft
Total Area	~ 36 acres

Applicant: Buddy Holder

Background: Applicant approached staff for the approval of final plat after approval of the preliminary plat with no issues in September 2023.

Analysis: The property has single family residential (R-1) nearby and is surrounded by low density single family residential. The future land use plan shows the continued change of all surrounding properties to low and medium density residential.

Minimum lot sizes within code: 8400 SF

Minimum Resi ROW: 60'

All utility/road details have been confirmed by staff and fire marshal.

Utility Easements: 20' along subdivided lots

Sidewalks and Street Lights included in plans

5% Requirement of Landscaping

- Comments from a concerned neighbor are attached:

'Linda Tucker' via Community Development <planning@durant.org>
to Planning@Durant.org ▾

Mon, Feb 26, 1:06 PM (2 days ago) ☆ ↶ ⋮

Regarding the proposed approval:

1. I am not opposed to growth. However, how much growth can our infrastructure handle? There are (will be) only two roads to access/exit this area and both roads are currently used by several different neighborhoods. The increased traffic could potentially cause problems not to be mention the wear and tear on the roads.
2. That proposed lots which border existing neighborhoods, specifically Madison Ridge and Camelot Forest, be a minimum of 1/2 acre. If this cannot be accomplished, at least a privacy fence should be erected between the neighborhoods.
3. That construction cannot be performed outside of what would be considered "normal" working hours (daylight). Last fall, there were several nights where construction was ongoing for 24 hours with large spotlights and the constant beeping of machinery.

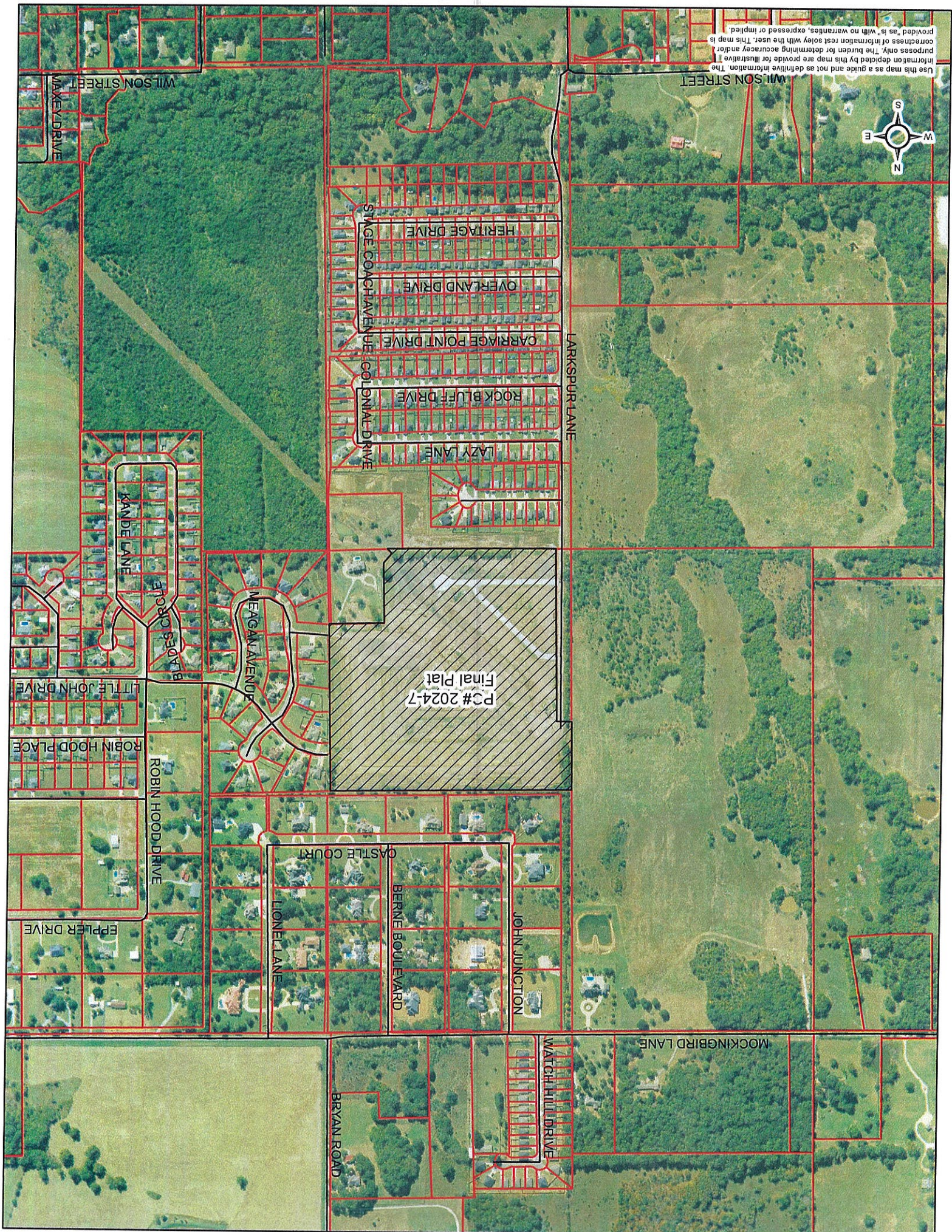
Thank you.
Linda Tucker

Staff Recommendation: Staff recommends approval

Required Action: Hold a public hearing and recommend approval or denial for the final plat



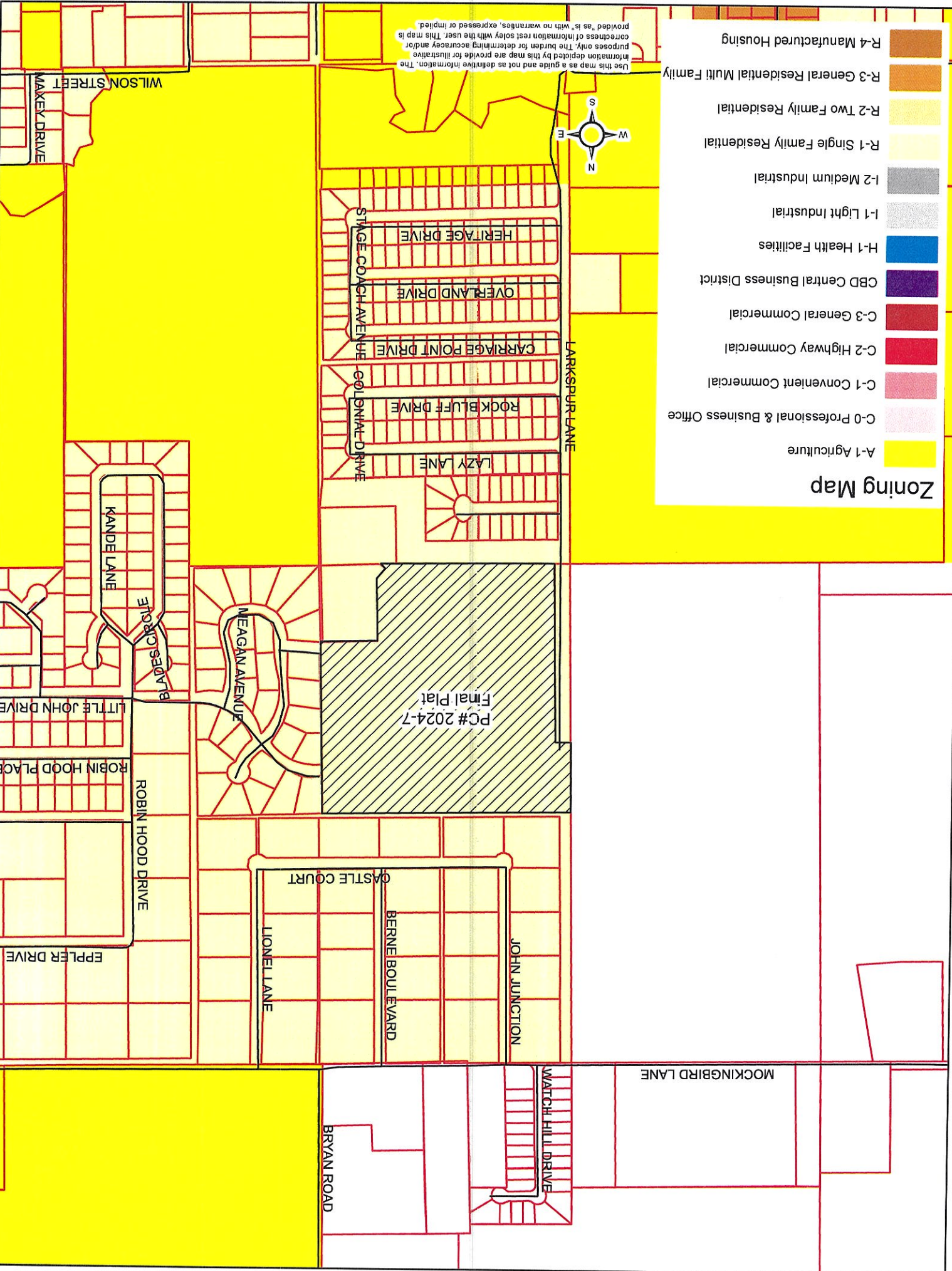
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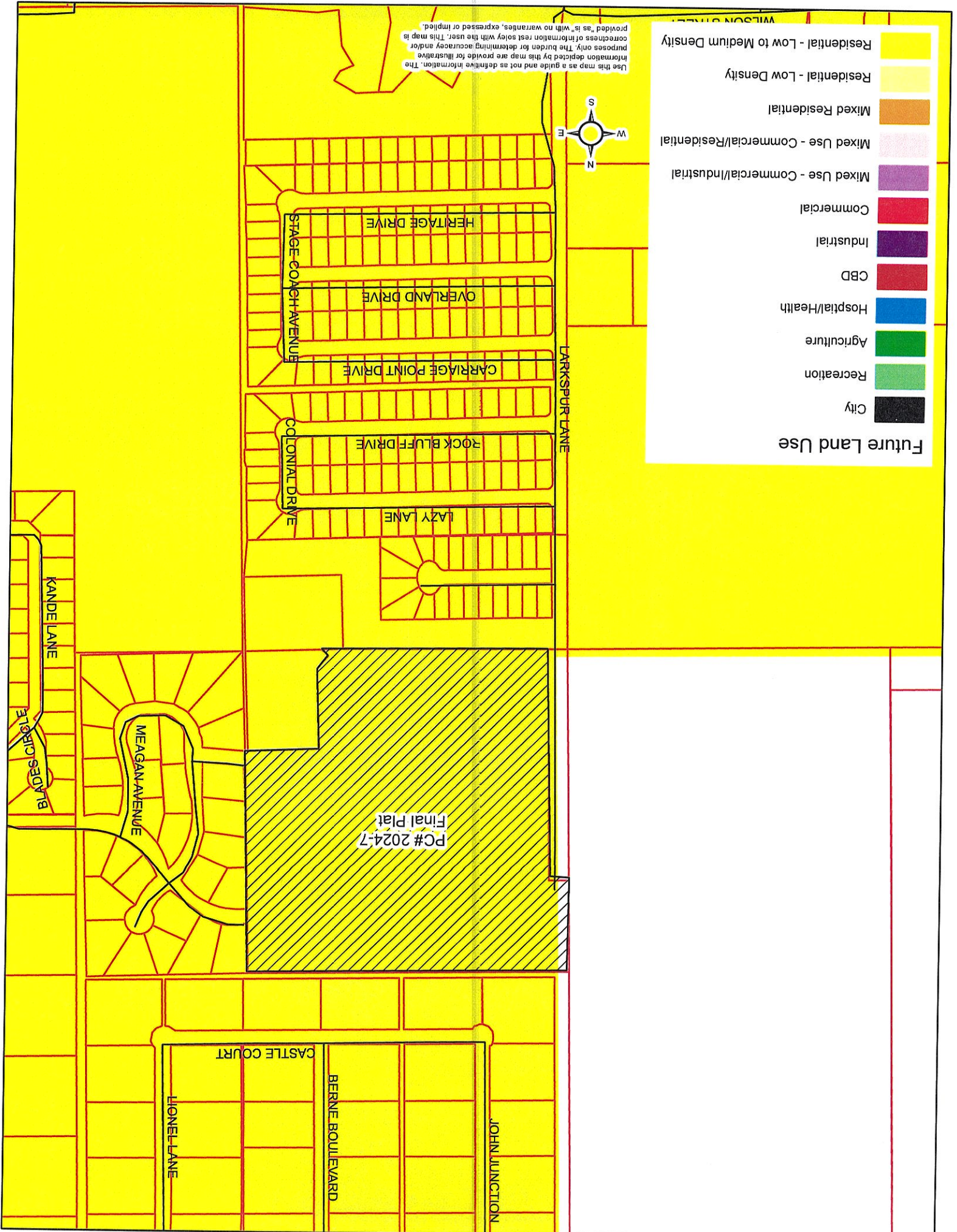


Zoning Map

- A-1 Agriculture
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- C-2 Highway Commercial
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- CBD Central Business District
- H-1 Health Facilities
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SUNSTAR, LLC
an Oklahoma limited liability company
721 Highway 70 E.
Kingston, OK 73439

Ashley Bice, PE
P.O. Box 26634
Little Rock, AR 72221
Ph: 501-593-1298

Michael T. Reynolds, PLS
621 North Elks Road
Tishomingo, OK 73460
Ph: 580-371-9410

That the undersigned, hereby certify that it is the owner of, and the only person, firm or corporation having any right, title, or interest in and to the land shown on the Final Plat of Heritage North – Phase I, an addition to the City of Durant, Oklahoma. That it has caused the same to be platted into lots, blocks, streets and easements as shown on said Final Plat, which said Final Plat is on file for record in the County Clerk's office and is included therein under the Final Plat of Heritage North – Phase I, an addition to the City of Durant, Bryan County, Oklahoma.

That the undersigned, further certifies that they are the owner of and the only person, firm, or corporation who have any right, title or interest to the land included in the above mentioned Final Plat, and it does hereby dedicate public streets and all easements, shown on said Final Plat, to the use of the public, for public highways, streets, fire protection, utility and drainage easements, for their respective purposes. That the undersigned, administrators, successors and assigns forever will cause the same to be released from all encumbrances to be executed on this _____ day of _____, 2024.

A tract of land located in the SE/4 NE/4 and the NE/4 SE/4 of Section 24, Township 6 South, Range 8 East of the Indian Meridian, Bryan County, Oklahoma, being more particularly described as follows:

Commencing at the Northeast Corner of said NE/4 SE/4;

thence S 00°59'21" E along the East line of said NE/4 SE/4, a distance of 303.04 feet to the Southeast Corner of a tract of land described in Warranty Deed (Wagnitz to Cummins), filed 06/25/2020, recorded in Book 1530, Pages 796-797 in the Office of the Bryan County Clerk, said point being the Point of Beginning;

thence continuing S 00°59'21" E along said East line, a distance of 162.99 feet to the Northeast Corner of Heritage Crossing II, an Addition to the City of Durant;

thence S 00°07'00" W along the North line of said Heritage Crossing II, a distance of 551.25 feet to the Southeast corner of Heritage Crossing III, an Addition to the City of Durant;

thence N 00°57'58" W along the East line of said Heritage Crossing III, a distance of 340.00 feet to the Northeast Corner of said Heritage Crossing III;

thence S 89°00'02" W along the North line of said Heritage Crossing III, a distance of 699.91 feet to the Northwest Corner of Lot 1, Block 1, of said Heritage Crossing III;

thence N 00°57'58" W along a line parallel with the West line of said NE/4 SE/4, a distance of 126.92 feet to a point on the NE/4 line of N 89°02'34" W, said point being East, a distance of 70.00 feet from the Southwest Corner of said SE/4 NE/4;

thence N 89°02'34" along the South line of said SE/4 NE/4, a distance of 10.00 feet, said point being the Southeast Corner of a track of land described in Quit Claim Deed (Thurston to City of Durant), filed 03/11/2021, recorded in Book 1553, Pages 771-772;

thence N 00°58'56" W along the East line of said City of Durant Tract, a distance of 950.00 feet to the Northeast Corner of said City of Durant Tract;

thence S 89°02'29" W along the North line of said City of Durant Tract, a distance of 80.00 feet to the Northwest Corner of said City of Durant Tract;

thence N 00°58'56" W along the West line of said SE/4 NE/4, a distance of 370.38 feet to the Northwest Corner of said SE/4 NE/4;

thence N 00°58'56" W along the North line of said SE/4 NE/4, a distance of 1320.07 feet to the Northeast Corner of said SE/4 NE/4;

thence S 01°01'16" E along the East line of said SE/4 NE/4, a distance of 407.53 feet;

thence S 89°02'34" W, a distance of 180.00 feet;

thence N 01°01'16" W, a distance of 16.82 feet;

thence S 89°02'34" W, a distance of 120.00 feet;

thence N 01°01'16" W, a distance of 90.71 feet;

thence S 89°02'34" W, a distance of 725.68 feet;

thence S 43°27'22" W, a distance of 60.00 feet;

thence N 46°32'38" W, a distance of 28.84 feet;

thence S 43°27'22" W, a distance of 120.00 feet;

thence S 46°32'38" E, a distance of 893.24 feet;

thence N 89°00'36" E, a distance of 242.97 feet to a point on the West line of said Cummins Tract;

thence along said Cummins Tract, for the next six calls of bearing and distance, S 01°01'16" E, a distance of 211.71 feet;

thence S 43°37'21" W, a distance of 68.47 feet;

thence S 46°22'39" E, a distance of 37.77 feet;

thence S 89°02'29" W, a distance of 86.72 feet;

thence S 00°59'21" E, a distance of 303.04 feet;

thence N 89°02'29" E, a distance of 400.00 feet to the Point of Beginning, containing an area of 27.1516 acres

1,182,724 square feet
27,1516 acres

Subject property lie in Zone "X" (Areas determined to be outside the 0.2% annual chance floodplain.) as shown of Flood Insurance Rate Map, Map Number 40013C0170E, effective date: June 02,2011.

N/4 cor. of Sec. 24, T-6-S, R-9-E of the I.M., Bryan County, Oklahoma
Monumentation - found 1/2" iron pin as shown on Oklahoma Certified
Corner Record filed by Page PI S 1566, dated 04/21/2008

NW cor. of Sec. 24, T-6-S, R-9-E of the I.M., Bryan County, Oklahoma.
Monumentation - found 1/2" iron pin as shown on Oklahoma Certified Corner Record filed by Brooks, PLS 1593, dated 11/30/2004 and Page PLS 1324, dated 01/18/2000.

WEST MOCKINGBIRD LANE
(GLO: N 89°58' W) (GLO: N 89°58' W)

W/4 cor. of Sec. 24, T-6-S, R-9-E
of the I.M., Bryan County,
Oklahoma.
Monumentation - found 1/2" iron pin
as shown on Oklahoma Certified
Corner Record filed by Page PLS
1324, dated 01/18/2000.

WEST MOCKINGBIRD LANE
(GLO: N 89°58' W) (GLO: N 89°58' W)

SW cor. of Sec. 24, T-6-S, R-9-E of the I.M., Bryan County, Oklahoma.
Monumentation - found 3/4" iron pin as shown on Oklahoma Certified Corner Record filed by Campo, PLS 1462, dated 01/18/2000 and Page PLS 1324, dated 01/18/2000.

WEST MOCKINGBIRD LANE
(GLO: N 89°58' W) (GLO: N 89°58' W)

NE cor. of Sec. 24, T-6-S, R-9-E of the I.M., Bryan County, Oklahoma. Monumentation - found 1/2" iron pin as shown on Oklahoma Certified Corner Record filed by Carroll, PLS 1522, dated 06/14/2016, Page PLS 1566, dated 05/11/2004 and Page, PLS 1324, dated 08/04/2000.

E/4 cor. of Sec. 24, T-6-S, R-9-E of the I.M., Bryan County, Oklahoma.
Monumentation - found 1 1/2" iron pin with yellow cap stamped "PAGE 1566" as shown on Oklahoma Certified Corner Record filed by Brooks, PLS 1593, dated 07/21/2008 and Page PLS 1566, dated 04/21/2008.

SE cor. of Sec. 24, T-6-S, R-9-E of the
I.M., Bryan County, Oklahoma.
Monumentation - found 1" iron pin as
shown on Oklahoma Certified Corner
Record filed by Klinkenborg, PLS
1549, dated 04/20/2021, Bennet, PLS
1471, dated 06/22/2018, Carroll, PLS
1522, dated 08/14/2016 and Page,
PLS 1324, dated 01/17/2000.

S/4 cor. of Sec. 24, T-6-S, R-9-E of the 1.M., Bryan County, Oklahoma
Monumentation - found railroad spike as shown on Oklahoma Certified
Corner Record filed by Klinkenborg, PLS 1549, dated 04/20/2021, Wil
PLS 1754, dated 02/23/2011 and Perry, PLS 1073, dated 05/25/1985.

Survey conducted 03/10/21 through 01/14/24. Last site visit 02/16/24.

All bearings shown on this plat were based upon the Oklahoma State Plane Coordinate (OK3502).

This plat of 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.

All lot corners are monumented with 5/8" rebar with 1.5" aluminum cap stamped "REYNOLDS 1651" unless otherwise noted.

(D: P:) represents bearings as recorded in deeds or plat.

Subject to easements, rights of way and restrictions, recorded or implied, if any, thereof.

I, _____, City Clerk of the City of Durant, Oklahoma, hereby certify that I have examined the records of said City and find that all deferred payments on unmatured installments upon special assessments have been paid in full and that there are no special assessment procedures now pending against the land shown on the Final Plat of Heritage North - Phase I, an addition to the City of Durant.

Signed by the City Clerk this _____ day of _____, 2024.

City Clerk

Pursuant to Durant subdivision regulations, this document was given approval by the Durant City Council at a meeting held on the ____ day of _____, 2024. All of the conditions for approval having been completed, this document is hereby accepted and this certificate executed under authority of such regulations.

-----, 2024
Date of execution Attest, City Clerk Mayor

This document, number _____, filed for record _____ day of _____, 2024,
at _____ in Plat Book _____.

County Clerk

Bryan County Rural Water, Sewer and Solid Waste Management
District No. 2

9077 U.S. Hwy 70
P. O. Box 119
Mead, OK 73449-0119
Website: www.ruralwater2.com

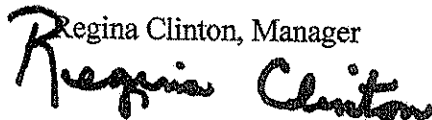
Telephone (580) 924-8517
Fax (580) 931-3911
(TDD/TTY) - 711
Email: rwd2@totalnet.us

(01/19/2024)

Durant City Utility,

Heritage North Subdivision will be provided water service by Bryan County Rural Water
District #2.

Sincerely,

Regina Clinton, Manager


This institution is an equal opportunity provider and employer. In accordance with Federal law and the U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the base of race, color, national origin, religion, sex, age, disability or familial status. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to U.S. Dept. of Agriculture, Director, Office of Adjudication, 1400 Independence Ave., S.W., Washington, D.C. 20250-9410, or by fax to (202) 690-7442 or email at program.intake@usda.gov.



The City of Durant

Memorandum

Date: 3/5/2024
To: Mayor and City Council
From: Kari Speers, Community Development Admin
Re: PC2024-08 Consider Approval of Rezone Request by Kain Smith for Property Located on Rodeo Road.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. PC2024 8 Kain Smith Staff Report rezone 3 5 24
2. PC2024-08 MAPS (2)



THE CITY OF DURANT

Office of Community Development

Date: 3/5/2024
To: Planning Commission
Case: PC 2024-8
From: Reed Aichholz, Community Development Director
Re: Rezone Request for Kain Smith on Rodeo Rd.

Request: Consider a request from Kain Smith for a rezone on Rodeo rd. from A-1 to R-1

Current Zoning: A-1

Surrounding Properties:

Direction	Zoning	Use
North	C-2	Highway Commercial (hwy 70)
East	A-1	Agricultural
South	A-1	Agricultural
West	R-1	Single Family Residential

Lot Characteristics:

Width	~ varied
Depth	~ 2600 ft
Total Area	~ 47 acres

Applicant: Kain Smith

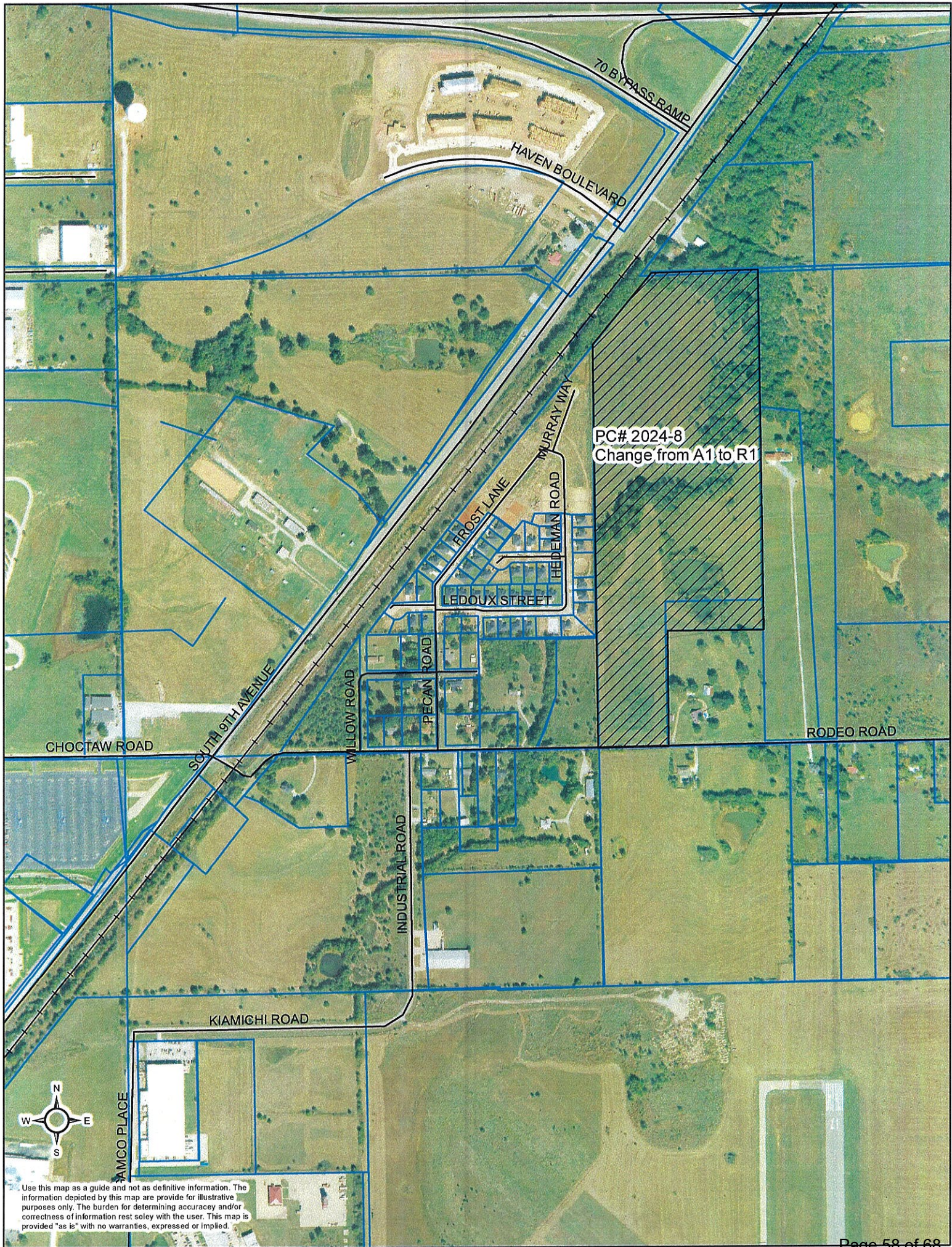
Background: Applicant approached staff for a rezone request with the intent to plat/subdivide in the future.

Analysis: The property has single family residential (R-1) adjacent and is surrounded by agricultural properties. The future land use plan shows the continued change of all surrounding properties to low and medium density residential.

Comments from staff include: Limited water capacity in area. Sewer on north east corner of property.

Staff Recommendation: Staff recommends approval of rezone from A-1 to R-1

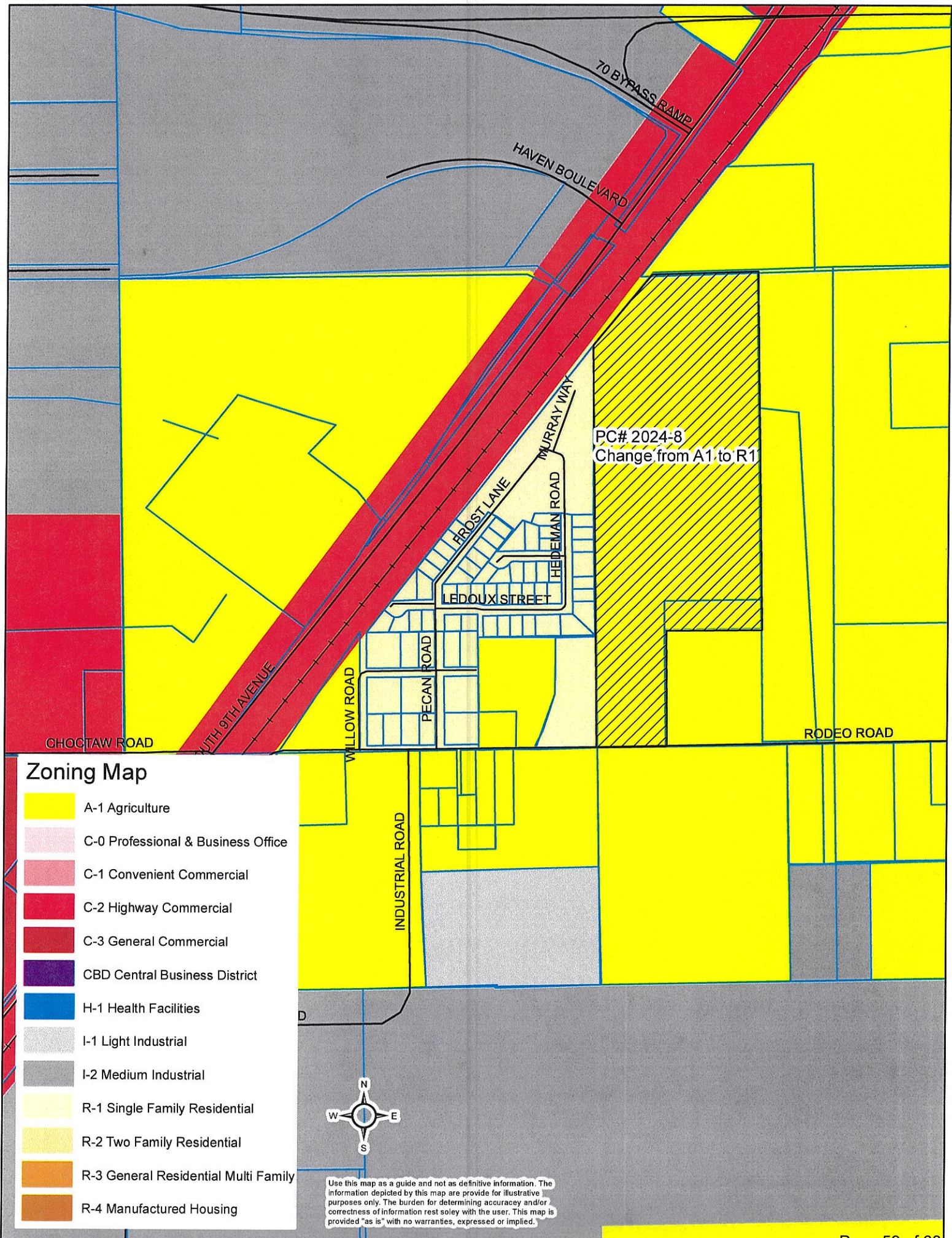
Required Action: Hold a public hearing and recommend approval or denial for rezone

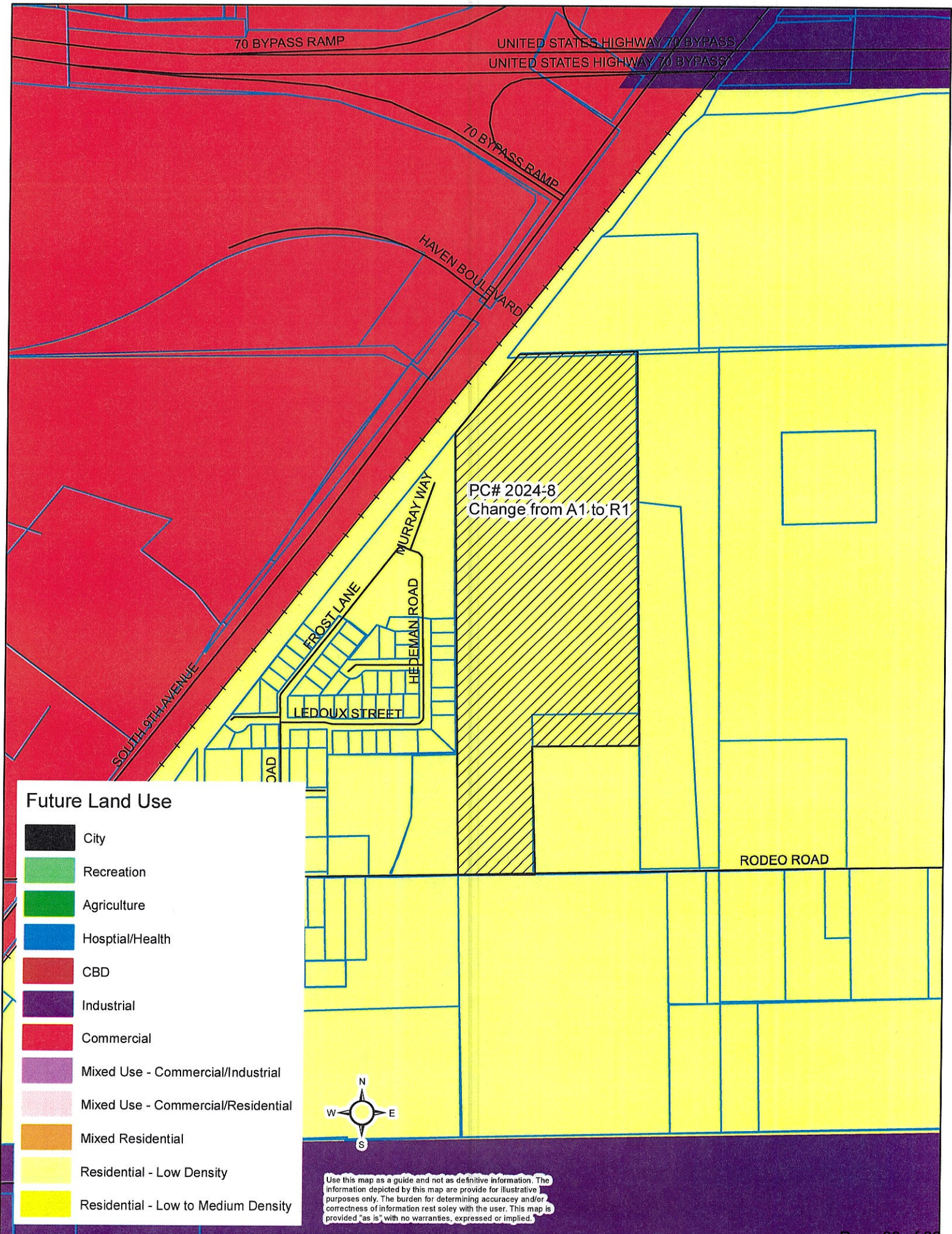


PC# 2024-8
Change from A1 to R1



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Future Land Use

- City
- Recreation
- Agriculture
- Hospital/Health
- CBD
- Industrial
- Commercial
- Mixed Use - Commercial/Industrial
- Mixed Use - Commercial/Residential
- Mixed Residential
- Residential - Low Density
- Residential - Low to Medium Density



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The City of Durant

Memorandum

Date: 3/5/2024
To: Mayor and City Council
From: Kari Speers, Community Development Admin
Re: PC2024-09 Consider Approval for 6 Month Extension for Rodeo Hills Phase II Located Near South 9th and Rodeo Rd.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. Rodeo Hills Extension Letter
2. 21-049 Rodeo Hills - Water and Sewer - As-Built 8.29.22 (1)
3. Rodeo Hills SWPPP Permit
4. PC2024 rodeo hills plat extension Staff Report
5. Rodeo Hills Subdivision



Kari Speers <kspeers@durant.org>

Fwd: Rodeo Hills Phase 2 Extension Request

1 message

Reed Aichholz <raichholz@durant.org>
To: Kari Speers <kspeers@durant.org>

Mon, Mar 4, 2024 at 11:45 AM

----- Forwarded message -----

From: **Sabrina Kerbo** <sabrina@sunviewhomes.com>
Date: Thu, Feb 29, 2024 at 4:46 PM
Subject: Rodeo Hills Phase 2 Extension Request
To: Reed Aichholz <raichholz@durant.org>

Good Morning,

Sunstar, LLC is requesting that our final plat be extended for 6 months. We are unsure if this will be enough time or even when the issue will be resolved. We are submitting this request because the land is currently in a lawsuit. An agreement has been made on the land, but an agreement has not been made on the financial side. We ask that you please grant us this extension while the issue is being resolved with our attorneys and the court.

Attached are the stormwater permit and site/sewer plan as requested. Please let me know if you need anything else.

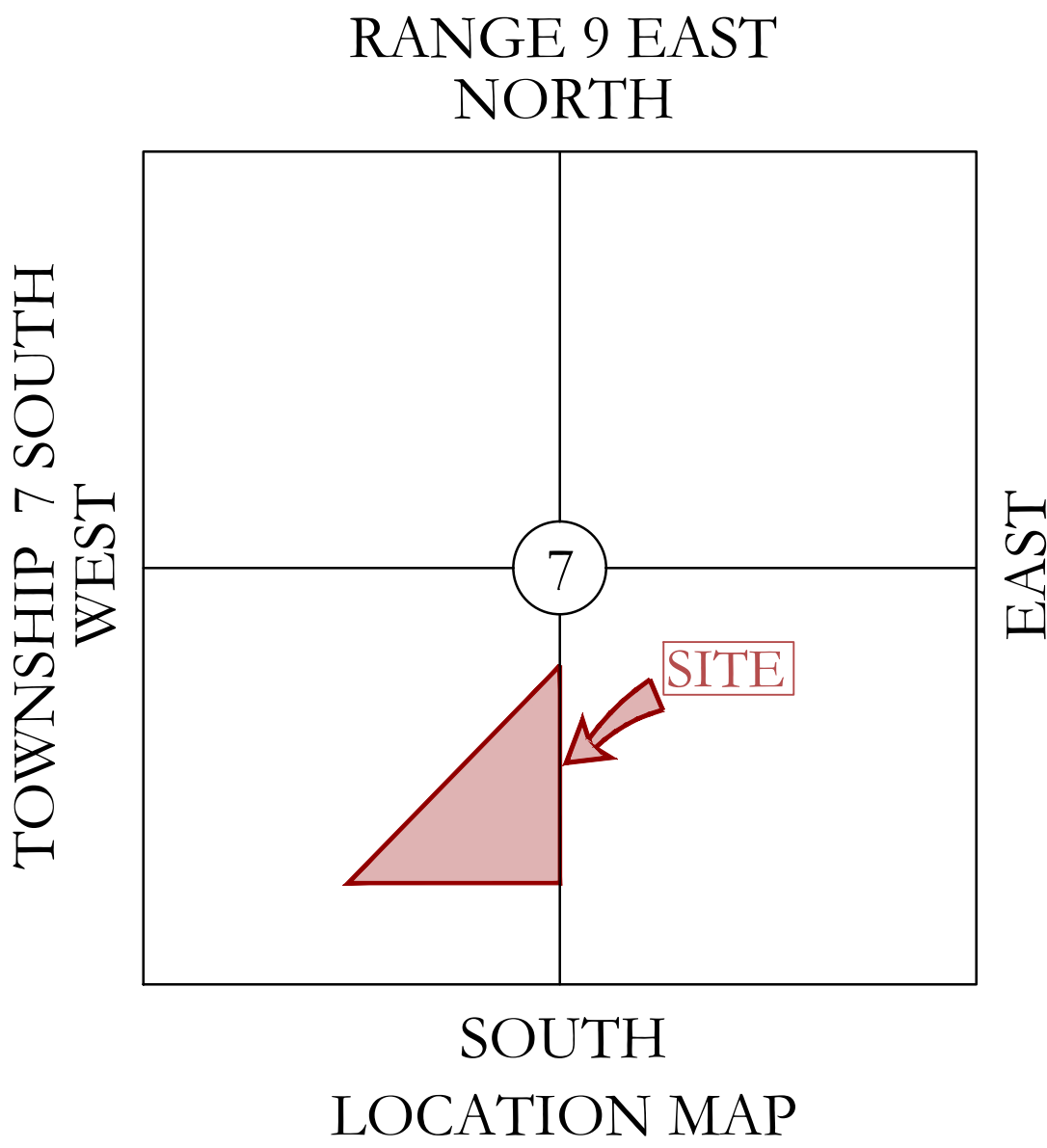
Thanks,
Sabrina Kerbo
Director of Operations
Sunview/Texoma Building Services
Office (580) 564-2680
Cell (580) 916-6998

2 attachments**Rodeo Hills SWPPP Permit.pdf**
843K**21-049 Rodeo Hills - Water and Sewer - As-Built 8.29.22 (1).pdf**
2380K

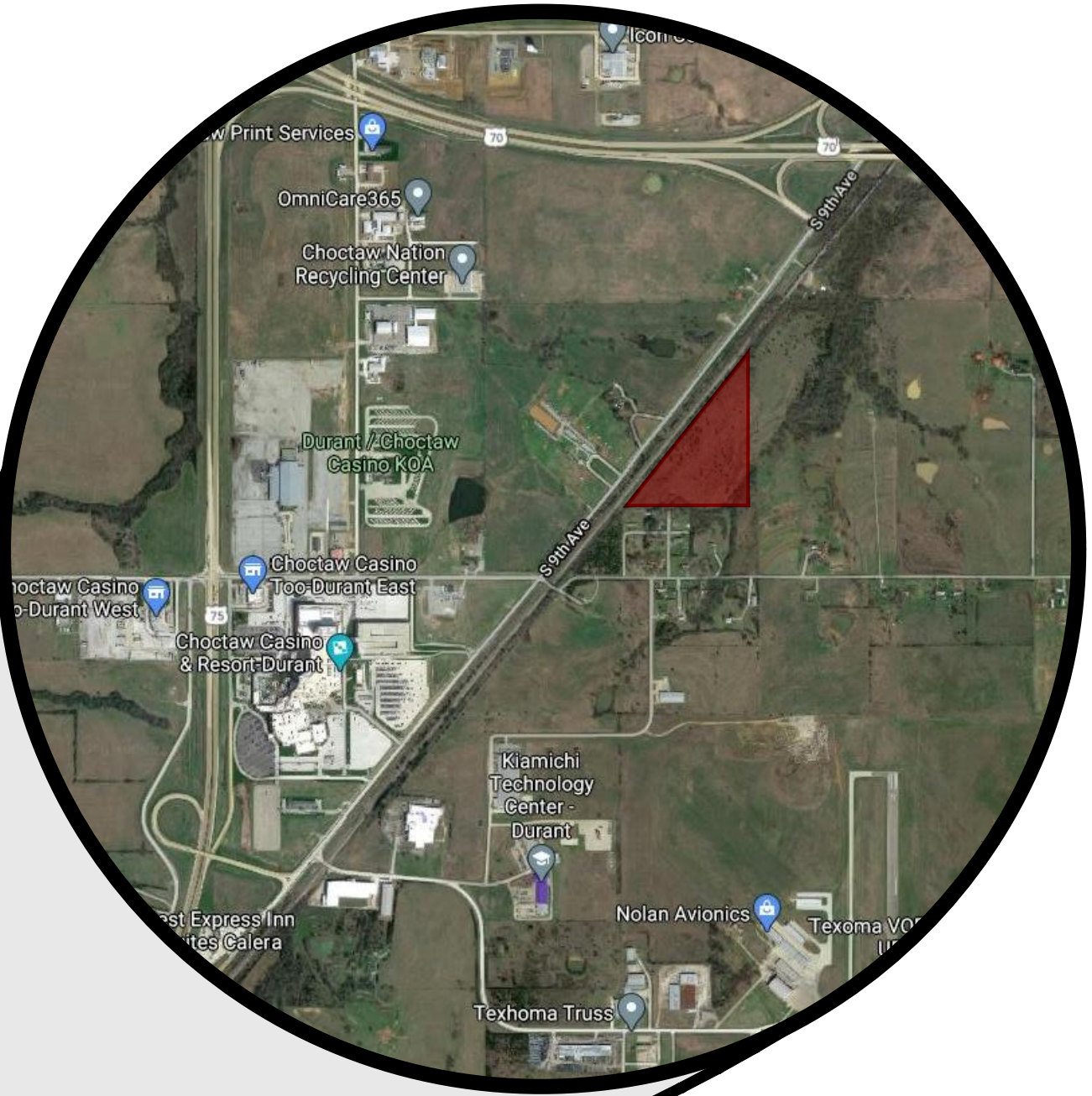
WATER AND SEWER AS-BUILT
CONSTRUCTION PLANS

FOR
RODEO HILLS
SUBDIVISION

CITY OF DURANT, OKLAHOMA



STATE MAP



VICINITY MAP

SHEET INDEX	
SHEET NO.	SHEET TITLE
C000	COVER
C100	SITE GRADING AND DRAINAGE PLAN
C101 - C104	ROAD PLAN AND PROFILE
C200	SITE SEWER PLAN
C201 - C205	SEWER PLAN AND PROFILE
C300	SITE WATER PLAN
C400	EROSION CONTROL PLAN
C500	SITE DETAILS
C501	UTILITY DETAILS
C600	DRAINAGE AREA MAP

PREPARED FOR:

SUNVIEW
DEVELOPMENT
Jay Mauck
721 US-70
Kingston, Oklahoma 73439

PREPARED BY:



ASHLEY RICE, PE
PO BOX 26634
LITTLE ROCK, AR 72221
ASHLEY@BICECONSULTING.US
(501)393-1298

SURVEY INFORMATION:
BOUNDARY & TOPOGRAPHIC
SURVEY INFORMATION PROVIDED
BY CDF ASSOCIATES, DATED
DECEMBER 16, 2020.

FLOODPLAIN INFORMATION
According to the Federal Emergency Management Agency
(FEMA) Flood Insurance Rate Map (FIRM) Map No.
400013C03101E, with the effective date of June 2, 2011, the
property is located in Flood Zone "X", areas to be
determined as outside the 100-year floodway and
floodplain. All Floodplain information noted in the plat
reflects the status per the FEMA FIRM map that is effective
at the time that the plat is recorded. Floodplain status is
subject to change as FEMA FIRM maps are updated.



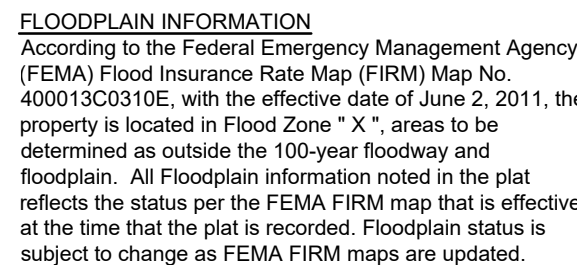
AS-BUILT - 8.29.22

1. CONTRACTOR SHALL PROTECT EXISTING UTILITIES NOT DEEMED FOR REMOVAL FROM DAMAGE.
2. ALL UTILITIES SHALL BE FURNISHED AND INSTALLED PER THE REQUIREMENTS OF THE SPECIFICATIONS, AND APPLICABLE REGULATORY AGENCIES.
3. SEE THE DETAILS SHEET FOR SPECIFIC UTILITY DETAILS AND UTILITY SERVICE DETAIL SHEET.
4. ALL UTILITIES SHALL TERMINATE 4' FROM THE BUILDING UNLESS OTHERWISE NOTED.
5. ALL UTILITY PIPE BEDDING SHALL BE CONSTRUCTED PER THE REQUIREMENTS OF THE CITY.
6. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. THE CITY DEPARTMENT OF ENGINEERING MUST BE NOTIFIED 48 HOURS PRIOR TO ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY, OR WORK IMPACTING CITY UTILITIES.
7. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL PERMITS FROM AUTHORITIES AND REGULATORY AGENCIES HAVING JURISDICTION OVER THE WORK AS REQUIRED, PRIOR TO BEGINNING WORK.
8. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY.
9. REFER TO THE RECORD DRAWING REPORT FOR SUBSURFACE CONDITIONS.
10. ALL SEWER MAIN TO BE 8" SDR 26.
11. ALL SEWER SERVICES TO BE 4" P.V.C.

1. LOCATIONS OF THE EXISTING UTILITIES ARE BASED ON RECORDS FROM SAID UTILITY COMPANIES AND ARE HORIZONTALLY FIELD LOCATED ONLY. THE CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING ACTUAL LOCATION.
2. CONTRACTOR TO UNCOVER AND MARK UTILITY LINES BEFORE CONSTRUCTION.
3. CONTRACTOR SHALL BEAR ALL RESPONSIBILITY AND COST OF REPAIR OR REPLACEMENT OF EXISTING UTILITIES DAMAGED OR INTERRUPTED AS A RESULT OF THIS CONSTRUCTION PROJECT.
4. CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER AND THE OWNER OF ANY DAMAGE TO EXISTING UTILITIES.
5. ALL WATER LINES AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH LOCAL WATER STANDARD PIPELINE MATERIALS AND CONSTRUCTION SPECIFICATIONS, LATEST EDITION.
6. EXISTING UTILITIES TO REMAIN ARE TO BE ADJUSTED TO MATCH PROPOSED GRADE.
7. CONTRACTOR SHALL NOTIFY PROJECT ENGINEER PRIOR TO BEGINNING ANY WORK.
8. ALL AREAS WITHIN THE PAVED AREAS ARE TO RECEIVE A GRAVEL BASE TO PROVIDE EROSION CONTROL IF WORK IS NOT PROGRESSING IN AN ORDERLY MANNER. A RATE OF 135 TONS/ACRE IS TO BE APPLIED WITHIN TWO WEEKS OF FINAL GRADING.
9. ALL AREAS NOT WITHIN THE PAVED AREA ARE TO RECEIVE LOOSE STRAW TO PROVIDE EROSION CONTROL IF WORK IS NOT PROGRESSING IN AN ORDERLY MANNER. A RATE OF 15 TONS/ACRE IS TO BE APPLIED WITHIN TWO WEEKS OF FINAL GRADING.
10. AFTER NEW INLETS ARE CONSTRUCTED, INSTALL INLET PROTECTION PER CITY OF OKLAHOMA SPECIFICATIONS.
11. CONTRACTOR WILL CONTROL AND PREVENT OFF-SITE TRACKING OF CONSTRUCTION RUNOFF AND SEDIMENT TO ADJACENT PROPERTY AND PUBLIC ROADS.
12. CONTRACTOR IS TO PROTECT EXISTING STORM DRAINAGE SYSTEM AND CONSTRUCTION TO CONFORM TO ALL CONSTRUCTION STORM WATER EROSION CONTROL PERMITTING REQUIREMENTS BY "EPA PHASE II STORM WATER REGULATION ACT".
13. CONTRACTOR SHALL MAINTAIN AND PRESERVE EXISTING QUALITY OF DEPARTMENT OF ENVIRONMENTAL QUALITY. WHERE PERMITTING IS REQUIRED, A COPY OF THE NOTICE OF INTENT SHALL BE PROVIDED TO THE LOCAL MUNICIPAL AUTHORITY.
14. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES IN ACCORDANCE WITH THE OKLAHOMA UNDERGROUND FACILITIES DAMAGE PREVENTION ACT. THIS LAW REQUIRES THAT THE CONTRACTOR MAKE A TELEPHONE CALL TO THE OKLAHOMA UNDERGROUND FACILITIES DAMAGE PREVENTION TWO WORKING DAYS PRIOR TO EXCAVATION TO ENSURE THAT ANY EXISTING UTILITIES CAN BE LOCATED.
15. CONTRACTOR TO CONSTRUCT ALL ACCESS RAMPS AND PAVING TO ADA STANDARDS.
16. TREES TO REMAIN ARE TO BE PROTECTED FROM DAMAGE DURING CONSTRUCTION.
17. EXCESS EXPOSURE SHALL BE STOCKPILED AT LOCATION APPROVED BY OWNER AND CONFIRMED BY ENGINEER OF RECORD.



A horizontal number line labeled "SCALE" with tick marks at 80, 40, 0, 80, and 160. The line is divided into segments by these marks, with alternating black and white segments.



(According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map No. 400013C03010E, with the effective date of June 2, 2011, the property is located in Flood Zone " X ", areas to be determined as outside the 100-year floodway and floodplain. All Floodplain information noted in the plat reflects the status per the FEMA FIRM map that is effective at the time that the plat is recorded. Floodplain status is subject to change as FEMA FIRM maps are updated.

DURANT, OKLAHOMA

SITE UTILITY - SEWER

[illegible]

PREPARED
BY:



ASHLEY BICE, PE
CIVIL ENGINEER
PO BOX 28634
LITTLE ROCK, AR 72221
ASHLEY@BICECONSULTING.US
(501) 593-1298

SUNVIEW DEVELOPMENT
Jay Mauck
721 US-70
Kingston, Oklahoma 73439

PLAN DATE:		
4/28/2021		
DESIGN:	CHECK:	DRAWN:
PROJECT NO.		
21-041		
SHEET NO.		

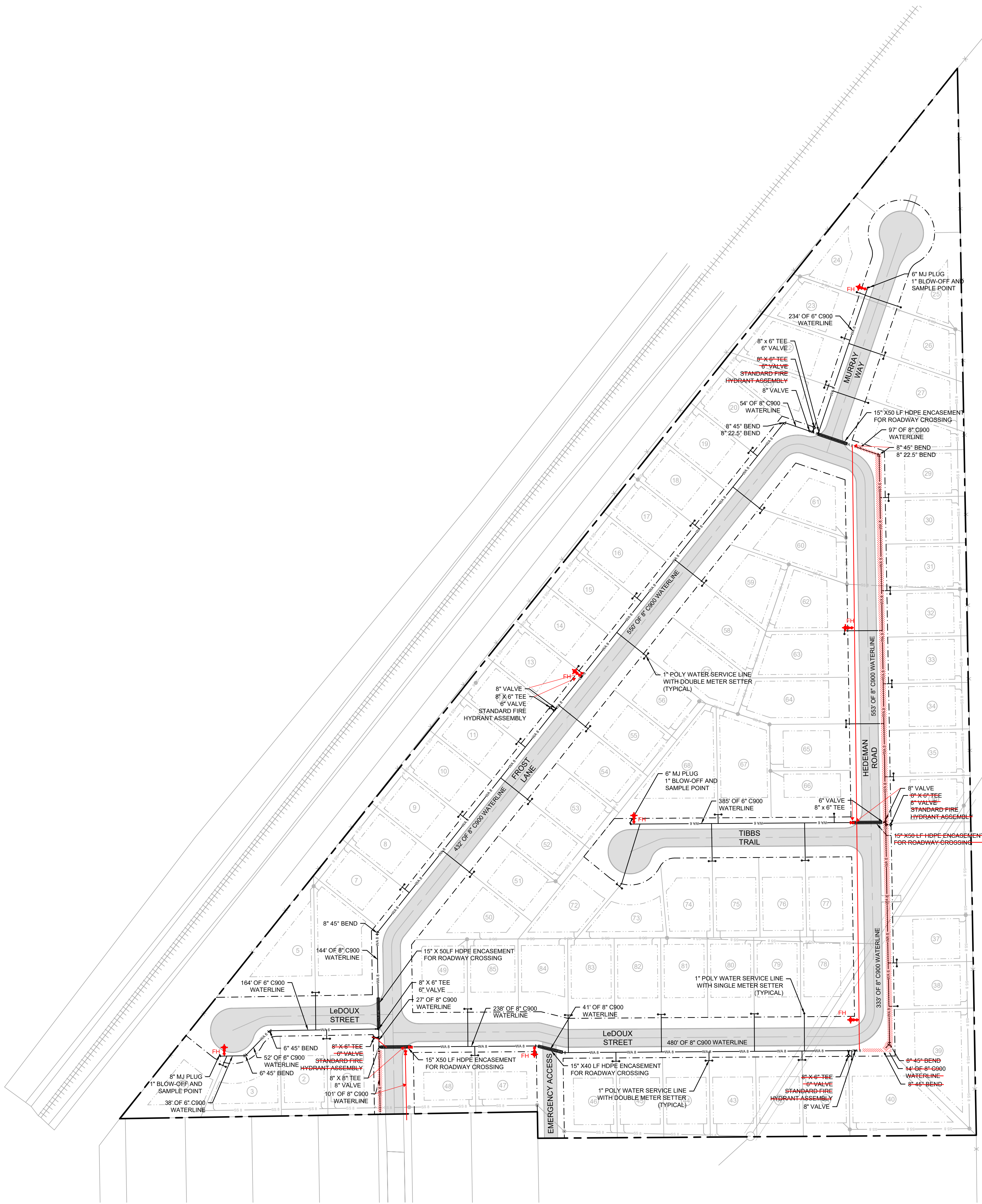
1. CONTRACTOR SHALL PROTECT EXISTING UTILITIES NOT DEEMED FOR REMOVAL FROM DAMAGE.
2. ALL UTILITIES SHALL BE FURNISHED AND INSTALLED PER THE REQUIREMENTS OF THE SPECIFICATIONS, AND APPLICABLE REGULATORY AGENCIES.
3. SEE THE DETAILS SHEET FOR SPECIFIC UTILITY DETAILS AND UTILITY SERVICE DETAILS.
4. ALL UTILITIES SHALL TERMINATE 4' FROM THE BUILDING UNLESS OTHERWISE NOTED.
5. ALL UTILITY PIPE BEDDING SHALL BE CONSTRUCTED PER THE REQUIREMENTS OF THE CITY.
6. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. THE CITY DEPARTMENT OF ENGINEERING MUST BE NOTIFIED 48 HOURS BEFORE TO ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY, OR WORK IMPACTING CITY UTILITIES.
7. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL PERMITS FROM AUTHORITIES AND REGULATORY AGENCIES HAVING JURISDICTION OVER THE SITE, AS REQUIRED, PRIOR TO BEGINNING WORK.
8. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY.
9. REFER TO THE GEOTECHNICAL REPORT FOR SUBSURFACE CONDITIONS.
10. ALL WATER SERVICES TO BE 1" POLY.

1. LOCATIONS OF THE EXISTING UTILITIES ARE BASED ON RECORDS FROM SAUL UTILITY COMPANIES AND ARE HORIZONTALLY FIELD LOCATED ONLY. THE CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING ACTUAL LOCATION.
2. CONTRACTOR TO UNCOVER AND MARK UTILITY LINES BEFORE CONSTRUCTION.
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4. CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER AND THE OWNER OF ANY DAMAGE TO EXISTING UTILITIES.
5. ALL WATER LINES AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH LOCAL WATER STANDARD PIPELINE MATERIALS AND CONSTRUCTION SPECIFICATIONS, LATEST EDITION.
6. EXISTING UTILITIES TO REMAIN ARE TO BE ADJUSTED TO MATCH PROPOSED GRADE.
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8. ALL AREAS WITHIN THE PAVED AREAS ARE TO RECEIVE A GRAVEL BASE TO PROVIDE EROSION CONTROL IF WORK IS NOT PROGRESSING IN AN ORDERLY MANNER. A RATE OF 135 TONS/ACRE IS TO BE APPLIED WITHIN TWO WEEKS OF FIELD GRADING.
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10. AFTER NEW INLETS ARE CONSTRUCTED, INSTALL INLET PROTECTION PER STANDARD SPECIFICATIONS.
11. CONTRACTOR WILL CONTROL AND PREVENT OFF-SITE TRACKING OF CONSTRUCTION RUNOFF AND SEDIMENT TO ADJACENT PROPERTY AND PUBLIC ROADS.
12. CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO PREVENT EROSION CONTROL TO CONFORM TO ALL CONSTRUCTION STORM WATER AND EROSION CONTROL PERMITTING REQUIREMENTS BY "EPA PHASE II STORM WATER REGULATION".
13. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES IN ACCORDANCE WITH THE OKLAHOMA UNDERGROUND FACILITIES DAMAGE PREVENTION ACT. THIS LAW REQUIRES THAT THE CONTRACTOR MAKE A TELEPHONE CALL TO THE OKLAHOMA UTILITY CENTER AT 1-800-522-6435 AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION TO ENSURE THAT ANY EXISTING UTILITIES CAN BE LOCATED.
14. CONTRACTOR TO CONSTRUCT ALL ACCESS RAMPS AND PAVING TO A STANDARD 4% VERGE.
15. TREES TO REMAIN ARE TO BE PROTECTED FROM DAMAGE DURING CONSTRUCTION.
16. EXCESS EXPORTS SHALL BE STOCKPILED AT LOCATION APPROVED BY OWNER AND CONFIRMED BY ENGINEER OF RECORD.

1. TRACER WIRE (SOLID NOT STRANDED) SHALL BE PRESENT ON ALL LINES AND SERVICES AND MUST BE ABLE TO BE LOCATED.
2. TRACER WIRE TO BE PROVIDED BY OWNER.
3. FITTINGS SHALL BE MECHANICAL AND MEGA-LUG ONLY (OR APPROVED EQUAL), NO KNIFE CUTS.
4. WHEN DEFLECTION LIMITS OF THE PIPING WILL NOT BE EXCEEDED, NO FITTING SHOULD BE USED.
5. FORD BRASS OR APPROVED EQUAL SHALL BE USED/APPROVED BY PUBLIC UTILITIES DIRECTOR OR CITY ENGINEER
6. METERS SHALL BE PURCHASED FROM THE CITY.
7. WHERE ANY POTENTIAL OF CONCRETE THAT COULD TOUCH THE FITTINGS, THE FITTING SHOULD BE COVERED IN VISQUEEN PLASTIC.
8. ALL WATERMAIN TO BE C900 PVC.



(According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map No. 400013C03010E, with the effective date of June 2, 2011, the property is located in Flood Zone "X", areas to be determined as outside the 100-year floodway and floodplain. All Floodplain information noted in the plat reflects the status per the FEMA FIRM map that is effective at the time that the plat is recorded. Floodplain status is subject to change as FEMA FIRM maps are updated.



SUNVIEW DEVELOPMENT
Jay Mauck
721 US-70
Kingston, Oklahoma 73439

[illegible]

CONSTRUCTION PLANS FOR:
RODEO HILLS SUBDIVISION

PLAN DATE:		
4/28/2021		
DESIGN:	CHECK:	DRAWN:
PROJECT NO.		
21-041		
SHEET NO.		
C300		

Oklahoma Department of Environmental Quality
Authorization to Discharge Under the OPDES Stormwater Construction
General Permit OKR10

AUTHORIZATION NO. OKR1034195

In compliance with the Oklahoma Pollution Discharge Elimination System (OPDES) Act 27A O.S. §2-6-201, the Rules of the Department of Environmental Quality (DEQ), and in reliance on the certified statements and representations heretofore made in its application,

Sunstar LLC
PO Box 1766
Kingston, OK 73439

Is authorized to discharge stormwater from a construction site located in Bryan County at

Rodeo Hills Subdivision
2763 E2110 Rd
East of SW 9th Ave and 0.1 mi north of Rodeo Rd
Durant, OK 74701

The receiving body of water is an unnamed tributary to the Mineral Bayou.

The OPDES requires permittees to have a Stormwater Pollution Prevention Plan (SWP3) which includes a description of appropriate sediment control measures. These are applicable to your construction site, which is subject to inspection. Proof of this authorization must be available at the construction site.

The Authorization shall become effective **April 3, 2023** and will expire at midnight October 17, 2027.
All terms and conditions of the modified OPDES Stormwater Construction General Permit OKR10, as published on October 18, 2022, shall apply to the recipient of this authorization.

Matt Pace

Matt Pace, Environmental Programs Manager
Environmental Complaints and Local Services Division



THE CITY OF DURANT

Office of Community Development

Date: 3/5/2024
To: Planning Commission
PC 2024 March
From: Reed Aichholz, Community Development Director
Re: Rodeo Hills 2 Plat Extension

Consider a request from Sunview Homes for the extension of a plat. The sunset date for their plat is March 12, 2024. Unfortunately, the company is in a legal dispute regarding the northern several acres of the development, and cannot move forward with their project.

See code for procedural guidelines:

§ 155.027 EXTENSION AND REINSTATEMENT PROCEDURE.

(A) Sixty days prior to or following the lapse of approval for a sketch plat, preliminary plat, or final plat as provided in these regulations, the property owner may petition the Planning Commission and the City Council to extend or reinstate the approval. Such petition shall be considered for recommendation at a public meeting of the Planning Commission and shall be considered at the City Council.

(B) In determining whether to grant such requests, the Planning Commission and the City Council shall take into account the reasons for the lapse, the ability of the property owner to comply with any conditions attached to the original approval, and the extent to which newly adopted subdivision regulations shall apply to the plat. The Planning Commission and the City Council shall extend or reinstate the plat, or deny the request, in which instance the properly owner must submit a new application for approval.

Staff Recommendation: Staff recommends a 6 month extension due to project circumstances.

CERTIFICATE AND DEDICATION

That the undersigned, SUNSTAR, LLC and CHOCTAW NATION OF OKLAHOMA hereby certify that they are the owners of, and the only persons, firms or corporations having any right, title, or interest in and to the land shown on the FINAL PLAT of RODEO HILLS ADDITION PHASE 2, an addition to the City of Durant, Oklahoma. That it has caused the same to be platted into lots, blocks, streets and easements as shown on said Final Plat, which said Final Plat represents a careful survey of all property included therein under the FINAL PLAT of RODEO HILLS ADDITION PHASE 2, an addition to the City of Durant, Bryan County, Oklahoma.

That the undersigned, further certifies that they are the owners of and the only persons, firms, or corporations who have any right, title or interest to the land included in the above mentioned Final Plat, and do hereby provide restrictive covenants filed in Book _____ Page _____ of the records in the Office of the County Clerk, Bryan County, Oklahoma, and it does hereby dedicate public streets and all easements, as shown on said Final Plat, to the use of the public, for public highways, streets, fire protection, utility and drainage easements for their heirs, executors, administrators, successors and assigns forever and have caused the same to be released from all encumbrances to be executed on this _____ day of _____, 2023.

- All lots within this subdivision shall be used for single family purposes only and no lot shall contain more than one (1) residential structure. No business, commercial or manufacturing enterprise shall be conducted on the property.
- No animals, livestock, swine, or poultry of any kind shall be raised, bred or kept on any lot. However dogs, cats, or other household pets, but not exceeding three (3) over four (4) months old may be kept provided that they are not kept, bred or maintained for commercial purposes and provided they are not permitted to run at large.
- No lot shall be used or maintained as a dumping ground or rubbish. Trash, garbage, or other waste shall not be kept in sanitary containers which shall be disposed of promptly. All equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.
- The outside finishing of all buildings must be completed within one (1) year after construction begins and no asphalt shingles, imitation brick building paper, insulation board or sheathing, or similar non-exterior material shall be used for the exterior finish of any such building. The exterior finish of the building shall be of wood, exterior siding, logs, brick, stone, or concrete.
- No old houses may be moved in or used as residential structure.
- No flat roof houses shall be constructed except as a part of a mansard roof design.
- All residential structures shall have modern sanitary facilities and there will be no outside toilet facilities. All sewage disposal systems and sanitary facilities shall comply with the public health regulations of the City of Durant, the County of Bryan, and the State of Oklahoma.
- All requirements for setback, side yard, and lot minimum square footage will be the same as provided for in the ordinances of the City of Durant. For purposes of this covenant, eaves, steps, and open porches shall not be porches shall not be constructed to permit any portion of the building to encroach an adjoining property.
- The streets, alleys, and easements shown on plat are created for the installation and maintenance of roads and public utilities.
- All drives located on the property shall be constructed of concrete.
- These covenants shall remain in effect for a period of twenty-five (25) years from the date set forth below, and may be renewed for successive ten (10) year periods by the vote of a majority of the property owners.

Signed this _____ Day, of _____, 2023.

SUNSTAR, LLC
Preston Holder, Member
Jason Mauck, Member

SUNSTAR, LLC
Terry Holder, Member
Elberg Holder, Member

CHOCTAW NATION OF OKLAHOMA
Chief Gary Batton

NOTARY PUBLIC

STATE OF OKLAHOMA
COUNTY OF BRYAN

Before me, the undersigned, a notary public in and for said county and state on the _____ day of _____, 2023, personally appeared Preston Holder, Terry Holder, Elberg Holder and Jason Mauck, to me known to be the identical persons who the name of the maker thereof to the foregoing instrument, and duly acknowledged to me that they executed the same as their free and voluntary act and deed of such partnership for the uses and purposes therein set forth. Given under my hand and seal the day and year last written above.

Notary Public

SURVEYOR CERTIFICATE

I, Chad Fox, a Professional Land Surveyor in the State of Oklahoma, hereby certify that I have made a careful survey of the foregoing described property designated as the FINAL PLAT of RODEO HILLS ADDITION PHASE 2, an addition to the City of Durant, Bryan County, Oklahoma, and the foregoing plat represents said survey and that steel rods, as described on this plat, have been located or placed at all lot corners unless noted. This plat of 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.

Witnessed my hand and seal this 19th day of May, 2023.

Chad Fox, P.L.S. No. 1758
License Expires 31JAN24

NOTARY PUBLIC

STATE OF OKLAHOMA
COUNTY OF LEFLORE

Before me, the undersigned, a notary public in and for said county and state on the _____ day of _____, 2023, personally appeared Chad Fox to me known to be the identical person who the name of the maker thereof to the foregoing instrument as its president, and duly acknowledged to me that he executed the same as his free and voluntary act and deed of such partnership for the uses and purposes therein set forth. Given under my hand and seal the day and year last written above.

Notary Public

DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL

The Oklahoma Department of Environmental Quality certifies that this plat is approved for the construction of a public sewage system and a public water system this _____ day of _____, 2023.

Environmental Specialist
Department of Environmental Quality

COUNTY TREASURER'S CERTIFICATE

I, _____, do hereby certify that I am duly elected, qualified, and acting County Treasurer of Bryan County, State of Oklahoma, that the tax records of said county, show all taxes are paid for the year _____ and prior years on the land shown as the FINAL PLAT of RODEO HILLS ADDITION PHASE 2, an addition to the City of Durant, Bryan County, Oklahoma, that the required statutory security has been deposited in the Office of the County Treasurer guaranteeing payment of the taxes for the current year.

In witness whereof, said County Treasurer has caused the instrument to be executed at Durant, Oklahoma, this _____ day of _____, 2023.

County Treasurer

CERTIFICATE OF CITY PLANNING COMMISSION

I, _____, Chairman of the Durant Planning Commission for the City of Durant, State of Oklahoma, hereby certify that the said Commission duly approved the annexed plat of the FINAL PLAT of RODEO HILLS ADDITION PHASE 2 on this _____ day of _____, 2023.

Chairman _____ Secretary _____

CERTIFICATE OF CITY COUNCIL

Pursuant to Durant subdivision regulations, this document was given approval by the Durant City Council at a meeting held on the _____ day of _____, 2023. All of the conditions for approval having been completed, this document is hereby accepted and this certificate executed under authority of such regulations.

Date of execution _____, 2023

Attest, City Clerk _____ Mayor _____

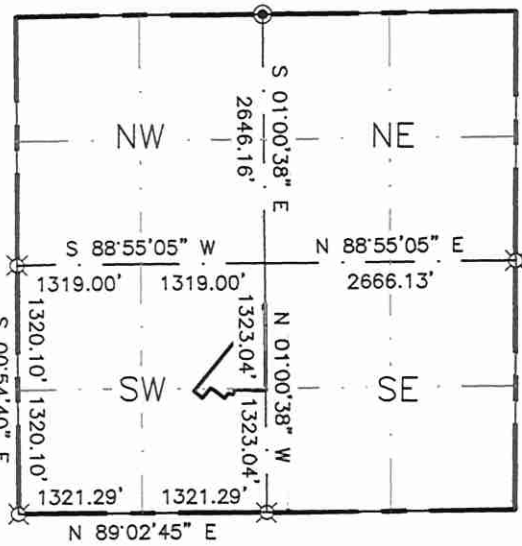
CERTIFICATE OF RECORDING

This document, number _____, filed for record _____ day of _____, 2023, at _____ in Plat Book _____

County Clerk

NOTES

- This survey was performed without the benefit of a current title policy. The record information which is referenced herein is the result of research performed by this surveyor and is not necessarily complete or conclusive.
- This survey does not constitute a Title Search by this surveyor of the property shown and described hereon to determine:
 - Ownership of the tract of land.
 - Compatibility of this description with those of adjoiners.
 - Rights of way, easements and encumbrances of record affecting this tract of land.
- BEARINGS are based on the Oklahoma State Plane Coordinate System NAD 83, OK South Zone and are designated on a line as shown on this drawing as the East line of the Southwest Quarter of Section 7, Township 7 South, Range 9 East, Bryan County, Oklahoma, which is considered to bear N 01°00'38" W.
- The word "certify" or "certification" as used herein is understood to be an expression of professional opinion by the surveyor, based upon his best knowledge, information, and belief. As such, it does not constitute a guarantee, nor a warranty, expressed or implied.
- Property surveyed is not in published flood zone(s) at date of survey per flood map No.40013C0310E of the Federal Emergency Management Agency, National Flood Insurance Program.



SEC. 7-T7S-R9E
VICINITY MAP
N.T.S.

UTILITIES

- The sanitary sewer system will be designed by a licensed civil engineer and approved by the Oklahoma Department of Environmental Quality prior to construction.
- The water system will be designed by a licensed civil engineer and approved by the Oklahoma Department of Environmental Quality prior to construction.
- Electrical system will be designed by an REA licensed electrical engineer.

STREETS

- Streets will be designed by a licensed civil engineer and approved by the City of Durant prior to construction.

STORM WATER DRAINAGE AND DETENTION

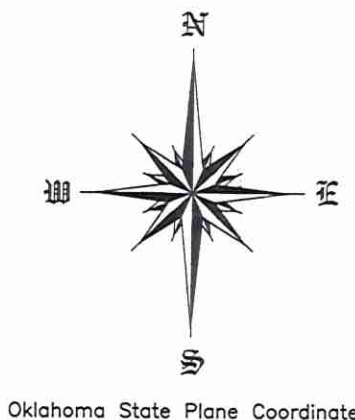
- The storm water system will be designed by a licensed civil engineer. The capture, movement, detention and discharge will comply with local floodplain requirements.

NOTICE

Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits.

BUILDING LIMITS

Front yard 30 ft.
Rear yard 20 ft.
Side yard, interior 5 ft.
Side yard, exterior 15 ft.



FINAL PLAT of RODEO HILLS ADDITION PHASE 2 TO THE CITY OF DURANT

in Section 7, Township 7 South, Range 9 East
of the Indian Base and Meridian, Bryan
County, Oklahoma.

OWNERS

SUNSTAR, LLC
721 US Highway 70
Kingston, OK 73439

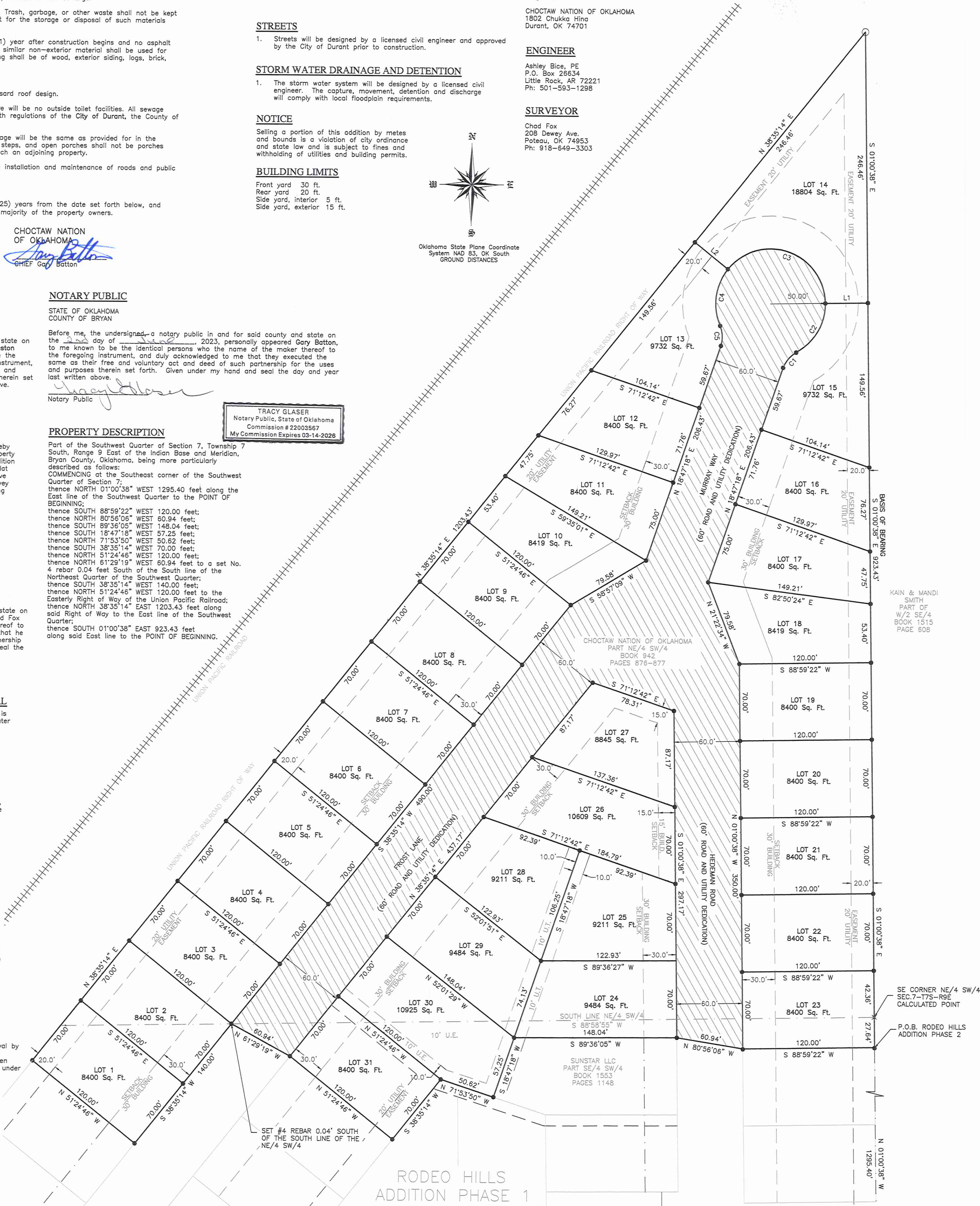
CHOCTAW NATION OF OKLAHOMA
1802 Chukka Hina
Durant, OK 74701

ENGINEER

Ashley Bice, PE
P.O. Box 28634
Little Rock, AR 72221
Ph: 501-593-1298

SURVEYOR

Chad Fox
208 Dewey Ave.
Poteau, OK 74953
Ph: 918-649-3303



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 88°59'22" E	38.73'
L2	N 51°24'46" W	38.73'

CURVE TABLE

CURVE TABLE						
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	
C1	25.00'	18.89'	18.26'	N 40°12'18" E	42°50'00"	
C2	50.00'	54.66'	51.98'	N 30°18'20" E	62°37'56"	
C3	50.00'	122.52'	94.09'	N 71°12'42" W	140°24'08"	
C4	50.00'	54.66'	51.98'	N 07°16'15" E	62°37'56"	
C5	25.00'	18.89'	18.26'	N 02°37'42" W	42°50'00"	

Legend

- FOUND REBAR
- ELECTRIC TRANSFORMER
- WATER METER
- FIRE HYDRANT
- SEWER MANHOLE
- REBAR & CAP L5 1758
- LOT LINE
- STATUTORY R.O.W
- EXISTING ROAD
- ROAD DEDICATION
- UTILITY EASEMENT
- BUILDING SETBACK

0' 50' 100' 150'

Reference Material

REFERENCE 1-ORIGINAL SURVEY PLAT OF Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma.
REFERENCE 2-Book 1019, Page(s) 851-852 as recorded in Bryan County records.
REFERENCE 3-Book 1484, Page(s) 263 as recorded in Bryan County records.
REFERENCE 4-Book 1492, Page(s) 1147 as recorded in Bryan County records.
REFERENCE 5-Book 1515, Page(s) 608 as recorded in Bryan County records.



10/7/5/19/23
CHAD FOX
LICENSED PROFESSIONAL
LAND SURVEYOR STATE OF
OK, NO. 1758
CERTIFICATE OF AUTHORIZATION
NO. 6186

RODEO HILLS ADDITION PHASE 2
TO THE CITY OF DURANT
in Section 7, Township 7 South, Range 9 East
of the Indian Base and Meridian, Bryan
County, Oklahoma.

PREPARED FOR

SUNSTAR, LLC

CDF ASSOCIATES, LLC.

208 Dewey Ave
Poteau, Oklahoma 74953

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