

ORDINANCE NO. 24

ORDINANCE ADOPTING AN OFFICIAL ZONING MAP FOR THE TOWN OF CARLTON LANDING; ESTABLISHING REGULATIONS FOR ALL OF THE ZONING DISTRICTS (DESCRIBED AS TRANSECTS), ALL IN ACCORDANCE WITH THE COMPREHENSIVE PLAN; ESTABLISHING EXCEPTIONS TO SUCH DISTRICT REGULATIONS; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

ORDINANCE

WHEREAS, a notice was published in the McAlester News-Capital on July 23, 2015, providing notice of a hearing before the Planning Commission on August 8, 2015 and a hearing before the Town Board of Trustees on August 15, 2015, as required by Section 43-104 of the Oklahoma Statutes; and

WHEREAS, a comprehensive plan for the Town (the "Comprehensive Plan") was approved and recommended by the Planning Commission on August 8, 2015, and was approved and adopted by resolution of the Town Board of Trustees on August 15, 2015; and

WHEREAS, the Regulating Plan, adopted herein as the official zoning map, attached hereto and incorporated herein as "Exhibit A" is consistent with the Comprehensive Plan, and the Urban Standards, attached hereto and incorporated herein as "Exhibit B" are consistent with the Comprehensive Plan;

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARLTON LANDING, OKLAHOMA:

SECTION 1.

- (a) Adoption of official zoning map. The Regulating Plan, attached hereto and incorporated herein as Exhibit A, is a map depicting the locations and boundaries of transects (also known as zoning districts). The Regulating Plan is hereby adopted as the official zoning map of the Town.
- (b) Adoption of district regulations. The Urban Standards, attached hereto and incorporated herein as Exhibit B and also incorporated within the Comprehensive Plan, contains regulations for each of transects (also known as zoning districts). The Urban Standards and the regulations contained therein are hereby adopted as the regulations applicable to each of the transects.
- (c) Exceptions. Exceptions shall be allowed in the application of transect regulations as provided by this paragraph. Buildings and uses should comply with the regulations of the applicable transects (also known as a zoning district), but development may occur in accordance with the regulations of a transect one level above or one level below the transect where the development is taking place (for example, a project within the T-4 transect may be built in accordance with the regulations applicable to the T-3 or the T-5

transects). If an applicant for a permit intends for the project to comply with the regulations of a transect one level above or one level below the applicable transect as depicted on the official zoning map, a note to that effect shall be made on the application.

- (d) Relation to Private Land Use Restrictions. The Town of Carlton Landing is a master planned community, and private land use restrictions exist with respect to property throughout the Town. Certain terms of those private restrictions parallel those contained in the Town's zoning ordinances. In some instances, the private restrictions may impose greater or lesser restrictions than the regulations contained in the Town's zoning ordinances, and in other instances the private restrictions regulate additional topics not addressed by the Town's zoning ordinances. Notwithstanding similarities between such private restrictions and provisions of the Town's zoning ordinances, the Town's zoning ordinances shall not be interpreted or applied to lessen or otherwise alter the terms of such private restrictions.
- (e) Application to territory annexed to the Town boundaries. Unless otherwise specified in the annexation ordinance, any territory annexed after the effective date of this ordinance shall be annexed subject to the zoning depicted on the official zoning map to the extent the map depicts such territory as within a transect (also known as a zoning district).

SECTION 2. All Ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 3. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions.

SECTION 4. EMERGENCY SECTION. WHEREAS, in the judgment of the Board of Trustees it is necessary for the preservation of the peace, health, welfare and safety of the Town of Carlton Landing, Oklahoma, Oklahoma and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

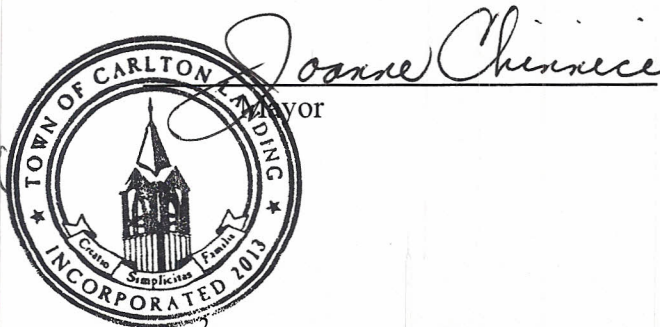
PASSED by the Board of Trustees of the Town of Carlton Landing, Oklahoma, on the 15th day of August, 2015.

SIGNED by the Mayor of the Town of Carlton Landing, Oklahoma, on the 15th day of August, 2015.

ATTEST:

(SEAL)

Charles G. Blum
Town Clerk



APPROVED AND RECOMMENDED by the Planning Commission on August 8, 2015:

ATTEST:
(SEAL)

Carol Blair
Town Clerk



Joanne Christie
Chairman