

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN TO ADD PROVISIONS TO ALLOW CREMATORIALS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Section 420.2, A-2, Rural Agricultural District, of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

* * * * *

3. Special Use. The following uses may be permitted, after review, in accordance with Section 434.1:

* * *

(m) Zoological park, with limited auxiliary uses, currently licensed by the Federal government as an exhibitor with a Class "C" license, as defined in the Animal Welfare Act, as amended by the Act of December 23, 1985. (O-9697-37)

(n) Crematorium, subject to all the following conditions and requirements:

- (1) Crematoriums shall meet the setback requirements of the underlying zoning district, except that they will be located a minimum of 400 feet from any residential building, measured from the closest point of the crematorium building to the nearest residential building.
- (2) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
- (3) All storage shall be inside.
- (4) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.
- (5) Crematoriums shall have direct vehicle access to an arterial street.

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§ 2. That Section 424.1, C-2, General Commercial District, of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

* * * * *

3. Special Use. The following uses may be permitted, after review, in accordance with Section 434.1:

* * *

(j) High Impact Institutional Use. (O-0809-42)

(k) Crematorium, subject to all the following conditions and requirements:

- (1) Crematoriums shall meet the setback requirements of the underlying zoning district, except that they will be located a minimum of 400 feet from any RE, R-1, R-2, and R-3 zoning districts and 100 feet from all other zoning districts measured from the closest point of the building to the nearest residential district.
- (2) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
- (3) All storage shall be inside.
- (4) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.
- (5) Crematoriums shall have direct vehicle access to an arterial street.

* * *

§ 3. That Section 425.1, C-3, Intensive Commercial District, of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

* * * * *

3. Special Use. The following uses may be permitted, after review, in accordance with Section 434.1:

* * *

(g) Liquefied Petroleum Gas sales and storage, when such use is clearly subordinate and accessory to the primary usage of the property.

(h) Crematorium, subject to all the following conditions and requirements:

- (1) Crematoriums shall meet the setback requirements of the underlying zoning district, except that they will be located a minimum of 400 feet from any RE, R-1, R-2, and R-3 zoning districts and 100 feet from all other zoning districts measured from the closest point of the building to the nearest residential district.
- (2) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
- (3) All storage shall be inside.
- (4) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.
- (5) Crematoriums shall have direct vehicle access to an arterial street.

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§ 4. That Section 426.1, I-1, Light Industrial District, of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

* * * * *

1. Uses Permitted. Property and buildings in an I-1, Light Industrial District, shall be used only for the following purposes:

(a) Any of the following uses:

* * *

- (4) Contractor’s equipment storage yard or yard for rental equipment of a type commonly used by contractors.
- (5) Crematorium, subject to all the following conditions and requirements:
 - (a) Crematoriums shall meet the setback requirements of the underlying zoning district, except that they will be located a minimum of 400 feet from any RE, R-1, R-2, and R-3 zoning districts and 100 feet from all other zoning districts measured from the closest point of the building to the nearest residential district
 - (b) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
 - (c) All storage shall be inside.
 - (d) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.
 - (e) Crematoriums shall have direct vehicle access to an arterial street.
- ~~(5)~~(6) Farm machinery or contractor’s machinery storage yard.
- ~~(6)~~(7) Mobile home and camper sales.
- ~~(7)~~(8) Office buildings and offices for such professional services as accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicist, linguist, landscape architect, optometrist, optician, osteopathic physician, planning consultant, psychologist, physician or surgeon, or registered nurse; provided, however, that no retail sales nor stock of goods shall be permitted other than the incidental sale of merchandise within the above professional offices or a pharmacy which may be located only in a building providing space for medical offices. Funeral homes and mortuaries shall not be considered professional services permitted in this district.
- ~~(8)~~(9) Public utility service company yard or electric receiving or transforming station.
- ~~(9)~~(10) Truck and farm implement sales and service.
- ~~(10)~~(11) Truck terminal.
- ~~(11)~~(12) Veterinary hospital.
- ~~(12)~~(13) Warehousing.
- ~~(13)~~(14) Trade schools and schools for vocational training. (O-8586-12)

(14)(15) Impoundment yard, subject to the following conditions:

- (a) the operator of the storage facility must obtain both a City License to operate an impoundment yard and a State Wrecker License;

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§ 5. That Section 427.1, I-2, Heavy Industrial District, of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

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1. Uses Permitted. Property and buildings in an I-2, Heavy Industrial District, may be used for any use except as qualified below:

* * *

- (e) The uses listed under Sub-section (d) above are permitted in the I-2, Heavy Industrial District, when conducted in strict compliance with the following regulations and conditions:

* * *

- (9) Whenever an owner or representative of a non-conforming use under this section applies for and is granted I-2, Heavy Industrial District zoning, he shall have a period not to exceed three (3) months to bring the use into complete conformity with the provisions of this section.

(f) Crematorium is a permitted use subject to all the following conditions and requirements:

- (1) Crematoriums shall meet the setback requirements of the underlying zoning district, except that they will be located a minimum of 400 feet from any RE, R-1, R-2, and R-3 zoning districts and 100 feet from all other zoning districts measured from the closest point of the building to the nearest residential district.
- (2) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
- (3) All storage shall be inside.
- (4) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.
- (5) Crematoriums shall have direct vehicle access to an arterial street.

* * *

§ 6. That Section 431.5, Off-Street Parking Requirements, of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

* * * * *

2. Number of Off-Street Parking Spaces Required. Except for lots in the C-3, Intensive Commercial District, off-street parking spaces for motor vehicles shall be provided in at least the amount shown in the following list:

* * *

SERVICES

Amusement establishments 1 per ea. 4 patrons (capacity)

* * *

Clubs or lodges (private, nonprofit) 1 per 50 sq. ft. of assembly area

Crematorium 1 per 1,000 sq. ft. of floor area or portion thereof

Funeral parlors or mortuaries 5 and 1 per 5 seats in largest chapel

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§ 7. That Section 450, Definitions, of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

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(25.2) COMMERCIAL LAND USE. Any public or private use allowed within the CO, C-1, C-2, C-3, CR, or TC zoning districts of the City of Norman. (O-1011-44)

(25.3) CREMATORIUM. A facility for the incineration of corpses, human or animal, to ashes. Crematorium does not include any establishment where incinerators are used to dispose of toxic, hazardous, infectious, or narcotic materials.

~~(25.3)~~(25.4) CUT-OFF FIXTURE. A luminaire light distribution is designated as cut-off when the intensity per 1000 lamp lumens does not numerically exceed 25 (2.5%) at an angle of 90° above nadir (horizontal), and 100 (10%) at an angle 80° above nadir. This applies to all lateral angles around the luminaire. (O-1011-44)

~~(25.4)~~(25.5) DANCE HALL. See NIGHTCLUB.

(26) DISTRICT. Any section or sections of Norman for which regulations governing the use of buildings and premises or the height and area of buildings are uniform.

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§ 8. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this 27th day of
of November, 2012.

NOT ADOPTED this _____ day
of _____, 2012.

Cindy Rosenthal
Cindy Rosenthal, Mayor

Cindy Rosenthal, Mayor

ATTEST:

Brenda Hall
Brenda Hall, City Clerk

