

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CREMATORIUMS IN CONJUNCTION WITH A FUNERAL PARLOR OR MORTUARY, WHETHER A PERMITTED OR SPECIAL USE IN THE DISTRICT, WITH CONDITIONS IN THE OFFICE-INSTITUTIONAL (O-1), SUBURBAN OFFICE COMMERCIAL (CO), LOCAL COMMERCIAL (C-1), GENERAL COMMERCIAL DISTRICT (C-2), INTENSIVE COMMERCIAL DISTRICT (C-3), AND LIGHT INDUSTRIAL (I-1) ZONING DISTRICTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

- § 1. That Section 422.9 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

SEC. 422.9 – O-1, OFFICE-INSTITUTIONAL DISTRICT

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

- (a) Hospital, provided that:
 - (1) Proposed site shall have a minimum 500 foot frontage on a principal urban arterial;
 - (2) No ingress or egress shall be allowed except from arterial streets;
 - (3) Buffer strips shall be provided between adjoining residentially zoned properties:
 - (a) No structure shall be closer than 200 feet from the residentially zoned properties;
 - (b) A landscaped area 50 feet in width, or 20 feet with a six (6) foot brick, or decorative masonry wall, shall be provided along shared property lines; and,
 - (4) There shall be a minimum ten (10) acre site with an additional one (1) acre for each additional ten (10) beds or fraction thereof above one hundred (100) beds.
- (b) Funeral parlor, ~~M~~mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:

- (1) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning 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.

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§ 2. That Section 423.1 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

Sec. 423.1 – CO, SUBURBAN OFFICE COMMERCIAL DISTRICT

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

- (c) Emergency Medical Transportation Services.
- (d) Funeral parlor, ~~M~~mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
 - (1) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning 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.

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- § 3. That Section 423.2 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

Sec. 423.2 – C-1, LOCAL COMMERCIAL DISTRICT

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

- (a) Emergency Medical Transportation Services.
- (b) Funeral parlor, ~~M~~mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
 - (1) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning 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.

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- § 4. That Section 424.1 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

Sec. 424.1 – C-2, GENERAL COMMERCIAL DISTRICT

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2. Uses permitted. Property and buildings in a C-2, General Commercial District, shall be used only for the following purposes:

- (a) Any use permitted in C-1, Local Commercial District.
- (b) Any Special Use permissible in C-1, except for mixed buildings and crematoriums attached to a funeral parlor or mortuary, is allowed in the C-2 District.

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

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- (j) High Impact Institutional Use.
- (k) Funeral parlor, mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
 - (1) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning 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.
- ~~(l)(k)~~ Crematorium, subject to all the following conditions and requirements:

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§ 5. That Section 425.1 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

Sec. 425.1 – C-3, INTENSIVE COMMERCIAL DISTRICT

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

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- (g) Liquified Petroleum Gas sales and storage, when such use is clearly subordinate and accessory to the primary usage of the property.
- (h) Funeral parlor, mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
 - (1) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning 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.
- ~~(i)(h)~~ Crematorium, subject to all the following conditions and requirements:

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- § 6. That Section 426.1 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

Sec. 426.1 – I-1, LIGHT INDUSTRIAL DISTRICT

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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:

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- (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.

- (6) Funeral parlor, mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:

- (a) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning 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.

~~(6)(7)~~ Farm machinery or contractor's machinery storage yard.

~~(7)(8)~~ Mobile home and camper sales.

~~(8)(9)~~ 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.~~

~~(9)~~(10) Public utility service company yard or electrical receiving or transforming station.

~~(10)~~(11) Truck and farm implement sales and service.

~~(11)~~(12) Truck terminal.

~~(12)~~(13) Veterinary hospital.

~~(13)~~(14) Warehousing.

~~(14)~~(15) Trade schools and schools for vocational training.

~~(15)~~(16) 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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§ 7. 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 _____ day of _____, 2013.

NOT ADOPTED this _____ day of _____, 2013.

Cindy Rosenthal, Mayor

Cindy Rosenthal, Mayor

ATTEST:

Brenda Hall, City Clerk