

ORDINANCE 2021-08

AN ORDINANCE OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING PART 12 “PLANNING, ZONING AND DEVELOPMENT,” CHAPTER 2, “ZONING REGULATIONS,” ARTICLE A, “GENERAL PROVISIONS,” OF THE CODE OF ORDINANCES OF THE TOWN OF LUTHER, OKLAHOMA, AND SPECIFICALLY AMENDING SECTION 12-201, “PURPOSE OF ZONING REGULATIONS AND ADOPTION OF COMPREHENSIVE PLAN,” WHICH SETS FORTH THE PURPOSES OF THE ZONING REGULATIONS AND PROVIDES FOR ADOPTION OF THE TOWN OF LUTHER COMPREHENSIVE PLAN; AMENDING SECTION 12-202, “JURISDICTION,” WHICH ADDRESSES THE AUTHORITY AND THE JURISDICTION OF THE ZONING REGULATIONS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

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

SECTION I. Section 12-201 of the Code of Ordinances for the Town of Luther, Oklahoma is hereby added to read as follows:

SECTION 12-201 PURPOSE OF ZONING REGULATIONS AND ADOPTION OF COMPREHENSIVE PLAN

A. For the purpose of promoting the health, safety, morals, and the general welfare of the community, the Board of Trustees may regulate and restrict:

1. The height, number of stories, and size of buildings and other structures;
2. The percentage of lot that may be occupied, the size of yards, courts, and other open spaces;
3. The density of population; and
4. The location and use of buildings, structures, and land for trade, industry, residence or other purposes.

B. Municipal regulations as to buildings, structures, and land shall be made in accordance with a Comprehensive Plan. The Board of Trustees hereby ratifies, adopts and approves the Comprehensive Plan dated June 7, 2018, a copy of which shall be kept on file in the Office of the Town Clerk, and as may be amended from time to time. The Comprehensive Plan shall be designed to accomplish any of the following objectives:

1. To lessen congestion in the streets;
2. To secure safety from fire, panic, and other dangers;
3. To promote health and the general welfare, including the peace and quality of life;
4. To ensure the provision of adequate light and air;
5. To prevent the overcrowding of land;
6. To promote historical preservation;

7. To avoid undue concentration of population;
8. To facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public amenities.

C. The regulations shall be made with reasonable consideration, among other things, as to the character of a specific or individual district or area and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the town. The Board of Trustees shall provide the manner in which regulations, restrictions and district boundaries shall be determined, established and enforced, and amended, supplemented or changed.

SECTION II. Section 12-202 of the Code of Ordinances for the Town of Luther, Oklahoma is hereby added to read as follows:

SECTION 12-202 JURISDICTION

These regulations shall be in full force and effect within the corporate limits of the Town. All land within said boundaries shall be classified as being in one of the zoning districts adopted herein. With the exception of zoning, certain portions of these regulations may be applicable to portions that are located outside of the corporate limits.

SECTION III. All ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed to the extent of any such conflict.

SECTION IV. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a 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 portion of this Ordinance.

SECTION V. It being immediately necessary for the preservation of the public health, peace and safety of the Town of Luther and 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 be in full force and effect from and after its passage as provided by law.

PASSED AND APPROVED and the Emergency Clause voted upon separately and passed and approved this 13th day of April, 2021.


MAYOR JENNI WHITE

ATTEST:


TOWN CLERK



Approved as to form and legality:

A handwritten signature in blue ink, reading "Benjamin Childs". The signature is written in a cursive style with a horizontal line underneath the text.

Town Attorney