



P.O. BOX 850 | COWETA, OKLAHOMA 74429 | PH. (918) 486-2189 | FAX (918) 486-5366 | www.cityofcoweta-ok.gov

AGENDA - REGULAR MEETING
COWETA PLANNING COMMISSION
COWETA CITY HALL, 310 S. BROADWAY
MONDAY, SEPTEMBER 23, 2019, 6:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Melanie Lander ____

Jessica Morris ____

Kathleen Robinson ____

Carter Mathews ____

Joanna Jones ____

IV. CONSENT

(All matters under the "Consent Calendar" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Commissioner may, however, remove an item from consent by request.)

1. Minutes of Coweta Planning Commission Regular Meeting

Approval of the minutes of the Coweta Planning Commission, regular meeting, held on August 26th, 2019.

Documents:

[PC MEETING MINUTES 08-26-2019.PDF](#)

V. PUBLIC HEARINGS

1. Public Hearing on Proposed Text Amendment Chapter 4 Section 440 (e)

Public hearing to accept public comment on a proposed text amendment to amend language of the Coweta Zoning Code with regard to Chapter 4, Section 440(e), removing Section 440(e) Marijuana Growing Facility - Personal Medical Use requiring a Special Use Permit in the RS-1, RS-2, and RS-3 Residential Single Family zoning districts.

Documents:

[190923 STAFF REPORT AMENDMENT OF CHAPTER 4 SECTION 440.PDF](#)

2. Public Hearing on Proposed Text Amendments to City Code and Zoning Code

Public hearing to accept public comment on proposed text amendments to Part 12 Section 12-803 of the Coweta City Code and Chapter 26 Section 2603 of the Coweta Zoning Code removing language requiring a Specific Use Permit for Marijuana Growing Facility - Personal Medical Use and amending language regarding Special Use List.

Documents:

[190923 STAFF REPORT AMENDING CHAPTER 12 SECTION 803.PDF](#)

VI. OLD BUSINESS

1. Proposed Text Amendment to Chapter 4 Section 440 Zoning Code

Discussion and possible action on making a recommendation of approval, approval with conditions, or denial to the Coweta City Council on a proposed text amendment to Chapter 4 Section 440 (e) of the

Coweta Zoning Code pertaining to uses permitted by Specific Use Permit.

Documents:

[190919 ORDINANCE AMENDING CHAPTER 4 SECTION 440 OF THE ZONING CODE.PDF](#)

2. Proposed Text Amendment to Part 12 Section 12-803 of the City Code

Discussion and possible action on making a recommendation of approval, approval with conditions, or denial to the Coweta City Council on a proposed text amendment to Part 12 Section 12-803 of the Coweta City Code pertaining to Specific Use Permits.

Documents:

[190919 ORDINANCE AMENDING CHAPTER 12 SECTION 2603.PDF](#)

3. Amendment of Coweta Zoning Code Chapter 26 Section 2603

Discussion and possible action on making a recommendation of approval, approval with conditions or denial to the Coweta City Council on a proposed text amendment to Chapter 26 Section 2603 of the Zoning Code of the City of Coweta, Oklahoma pertaining to Special Use Permits.

Documents:

[190919 ORDINANCE AMENDING CHAPTER 26 SECTION 2603 OF THE ZONING CODE.PDF](#)

VII. NEW BUSINESS

VIII. ADJOURNMENT

IF YOU REQUIRE A SPECIAL ACCOMMODATION PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, PLEASE NOTIFY CITY HALL BY 9:00 A.M. ON THE DATE OF THE MEETING.



**MINUTES
COWETA PLANNING COMMISSION
COWETA CITY HALL 310 S. BROADWAY
MONDAY, AUGUST 26, 2019, 6:30 PM**

I. CALL TO ORDER

Vice-Chairperson Kathleen Robinson called the meeting to order at 6:32 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Carter Mathews	Present
Kathleen Robinson	Present
Jessica Morris	Present
Joanna Jones	Present
Melanie Lander	Absent

Vice-Chairperson Kathleen Robinson requested that the roll be called and a quorum was declared to be present.

IV. CONSENT

Discussion and Consideration of the Minutes of the Regular Meeting of July 22, 2019.

Motion was made by Commissioner Jessica Morris and seconded by Commissioner Carter Mathews to approve the Minutes of the Coweta Planning Commission regular meeting held on July 22, 2019.

Motion passed by a vote of 4-0 with the following votes cast:

Carter Mathews	Yes – to approve
Kathleen Robinson	Yes – to approve
Jessica Morris	Yes – to approve
Joanna Jones	Yes – to approve
Melanie Lander	Not present

V. OLD BUSINESS

1. Roland Park Improvements

Discussion and possible action on recommendations to the City Council regarding proposed improvements to the park facilities at Roland Park to include a splash pad, basketball court and extending the trails within the park to include pedestrian bridges.

City Planner, Tom E. Young, Jr., read the staff report and displayed the preliminary plans on the screen for the commissioners and citizens. Vice-Chairperson Kathleen Robinson opened up the floor for comments or questions. There were no questions or comments from the citizens or the commissioners.

Vice-Chairperson Kathleen Robinson asked if anyone wanted to make a motion. Commissioner Carter Mathews made a motion to recommend approval to the City Council. That motion was seconded by Commissioner Joanna Jones.

Motion passed by a vote of 4-0 with the following votes cast:

Carter Mathews	Yes – to approve
Kathleen Robinson	Yes – to approve
Jessica Morris	Yes – to approve
Joanna Jones	Yes – to approve
Melanie Lander	Not present

VI. PLATS

1. Discussion and possible action on a request by developer, Truco Development Company, LLC, and surveyor, Heartland Surveying & Mapping, LLC, for final plat approval of Coweta Farms, a Single Family Residential (RS-1) subdivision of approximately 4.38 acres, more or less, with 7 lots generally located on the SW corner of East 131st Street South and South 273rd East Avenue in Section 11, Township 17 North, Range 15 East of the Indian Base and Meridian, City of Coweta, Wagoner County, Oklahoma.

Mr. Mark Truitt of Truco Development Company, LLC, was present for the meeting.

City Planner, Tom E. Young, Jr., read the staff report.

Vice-Chairperson Kathleen Robinson opened up the floor for questions or comments.

A citizen came forward and asked where the driveways for this development will be located. City Planner, Tom E. Young, Jr., showed the citizen the plan with the location of the driveways.

Another citizen came forward and asked if there had been any changes made to the plat since the preliminary plat phase. Mr. Young noted one minor change with the wording on the plat but everything else was the same.

There were no further comments or questions. Vice-Chairperson Kathleen Robinson asked the commissioners if they wanted to make a motion. Commissioner Carter Mathews made a motion to approve with the condition that the developer meet the comments from the Technical Advisory Committee. Commissioner Jessica Morris seconded the motion.

Motion passed by a vote of 4-0 with the following votes cast:

Carter Mathews	Yes – to approve
Kathleen Robinson	Yes – to approve
Jessica Morris	Yes – to approve
Joanna Jones	Yes – to approve
Melanie Lander	Not present

VII. NEW BUSINESS

VIII. ADJOURNMENT

Vice-Chairperson Kathleen Robinson moved that the Coweta Planning Commission meeting be adjourned. There were no objections. The meeting was adjourned at 6:45 p.m.

Approved:

Chairman

Secretary

Date



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Memorandum

To: Planning Commission
From: Tom E Young Jr, City Planner
Re: Chapter 4, Section 440 Uses Permitted by Specific Use Permit;
Date: 09-23-2019

BACKGROUND

This public hearing before the Planning Commission has been initiated by staff to amend language of the Coweta City Zoning Code with regard to amending: Chapter 4, Section 440 Uses Permitted by Specific Use Permit by removing Section 440 (e) Marijuana Growing Facility - Personal Medical Use; is hereby amended by removing language that requires a Specific Use Permit for Marijuana Growing Facility - Personal Medical Use, as a use allowed in RS-1, RS-2, RS-3 Residential Single Family, zoning districts by Specific Use permit as granted by the City Council.

This amendment, will remove language that requires a Specific Use Permit for Marijuana Growing Facility - Personal Medical Use, as a use allowed in RS-1, RS-2, RS-3 Residential Single Family, zoning districts by Specific Use permit as granted by the City Council.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 427.7 of Title 63, unless there is created a duplication in numbering, reads as follows:

- E. The Department shall ensure that all application records and information are sealed to protect the privacy of medical marijuana patient license applicants.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 427.8 of Title 63, unless there is created a duplication in numbering, reads as follows:

- A. The rights to possess the marijuana products set forth in Section 420 of Title 63 of the Oklahoma Statutes are cumulative and a duly licensed individual may possess at any one time the totality of the items listed therein and not be in violation of this act so long as the individual holds a valid patient license or caregiver license.
- B. Municipal and county governing bodies may not enact medical marijuana guidelines which restrict or interfere with the rights of a licensed patient or caregiver to possess, purchase, cultivate or transport medical marijuana within the legal limits set forth in this act or Section 420 et seq. of Title 63 of the Oklahoma Statutes or require patients or caregivers to obtain permits or licenses in addition to the state-required licenses provided herein.

Attached is the new ordinance being proposed by staff. The Planning Commission is to hold a public hearing and make a recommendation to City Council on the proposed amendment to the Zoning Code of the City of Coweta.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of this proposed ordinance to the City Council.

ATTACHMENTS

1. Proposed ordinance amending Chapter 4 Section 440 of the Coweta Zoning Code



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Memorandum

To: Planning Commission
From: Tom E Young Jr, City Planner
Re: Specific Use permit list
Date: 09-23-2019

BACKGROUND

This public hearing before the Planning Commission has been initiated by staff to amend language of the Coweta City Code of Ordinances with regard to Part 12, Section 12-803 Specific Use List; and amend language of the Coweta City Zoning Code Ordinances with regard to Chapter 26, Section 2603 Specific Use List; of uses allowed in the zoning districts by Specific Use permit as granted by the City Council amended, to be in alignment with State Statutes.

Currently a Specific Use permit is required for Marijuana Growing Facility for Personal Medical Use In RS-1, RS-2 RS-3 Residential Single Family zoning districts, this amendment brings the Zoning Regulations into compliance with State Statutes by removing the requirement for a special use permit for growing for personal in a residential district.

Attached is the proposed ordinances making those changes. The Planning Commission is to hold a public hearing and make a recommendation to City Council on the proposed amendment to the text of the Code of Ordinance and the Zoning Code of the City of Coweta.

STAFF RECOMMENDATION

Recommendation of approval for the accompanying ordinances to the Coweta City Council.

ATTACHMENTS

1. Ordinance amending Chapter 12 Section 12-803 of the Coweta City Code
2. Ordinance amending Chapter 26 Section 2603 of the Coweta Zoning Code

Ordinance Number XXX

AN ORDINANCE AMENDING CHAPTER 4 SECTION 440 (E) OF THE ZONING CODE OF THE CITY OF COWETA, OKLAHOMA PERTAINING TO USES PERMITTED BY SPECIFIC USE PERMIT; REPEALING ALL ORDINANCES TO THE CONTRARY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA, THAT:

SECTION I. Chapter 4 Section 440 (e) Marijuana Growing Facilities – Personal Medical Use of the Zoning Code of the City of Coweta, Oklahoma is hereby deleted in its entirety.

SECTION II. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION III. An emergency exists for the preservation of the public, peace, and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

PASSED AND APPROVED and the emergency clause ruled upon separately this 7th day of October, 2019.

Evette Morris, Mayor

ATTEST:

Julie Casteen, City Clerk

APPROVED:

Ronald D. Cates, City Attorney

Ordinance Number XXX

AN ORDINANCE AMENDING PART 12 SECTION 12-803 OF THE CODE OF ORDINANCES OF THE CITY OF COWETA, OKLAHOMA PERTAINING TO SPECIFIC USE PERMITS; REPEALING ALL ORDINANCES TO THE CONTRARY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA, THAT:

SECTION I. Part 12 Section 12-803 of the Code of Ordinances of the City of Coweta, Specific Use List; is hereby amended to read as follows:

The following uses may be allowed in the applicable zoning districts by Specific Use Permit as granted by the City Council:

- Adult Detention Center/Correctional Facility
- Adult Novelty Shop
- Adult Entertainment Establishments
- Antenna and Antenna Supporting Structure
- Airport - Heliport
- Auto Pool
- Bar/Tavern
- Bed and Breakfast
- Billiard Parlor/Pool Hall
- Casino
- Cemetery
- Cement, Portland Manufacture
- Churches
- College or University Hospital
- Commercial Resort Facilities when located on a 40-acre or larger tract
- Commercial Recreation, Intensive
- Commercial Theme Parks
- Convalescent Homes
- Convict Pre-release Center
- Correctional Community Treatment Center
- Crematory
- Detention Center Juvenile-Adult
- Electric Generation Plant and/or Sub-Station
- Electric Regulating Station, Excluding Storage or Service Yards or Service
Garages and Yards
- Emergency Protective Shelter
- Extraction Operations, Mining and Mineral Processing
- Garbage Dump
- Garbage, Offal, or Dead Animal Reduction or Dumping
- Gravel Operations
- Golf Course

Golf Driving Range
Gun Club
Halfway House
Homeless Center
Industrial Uses – Use when located on a 40-acre or larger tract
Jail
Junk or Salvage Yards
Juvenile Delinquency Center
Kennel
Single Family
Medical Marijuana Businesses
Medical Marijuana Dispensary
Mini-Storage
Mining and Quarrying, Mineral Products Processing, as defined in the Zoning Code
Mixed Use
Museum
Night Club
Nursing Homes
Offices – Use when located on a 40-acre or larger tract
Prisons
Private Club
Public or Private Attractions
Public or Private Schools with a compulsory education curriculum
Refuse Dump,
Refuse Transfer Station
Recycling Center
Rehabilitation Centers
Residential Treatment Center
Rifle and Skeet Range
Sand Operations
Sanitary Landfill
Sewage Disposal Facility
Sexually Oriented Business
Small Brewer
Tavern
Trade Schools
Trash or Refuse Transfer Station, All Processing and Storage within Building
or Containers
Transitional Living Center
Transmitting Tower (excluding amateur radio tower)
Water Storage Facility
Water Treatment Facility

SECTION II. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION III. An emergency exists for the preservation of the public, peace, and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

PASSED AND APPROVED and the emergency clause ruled upon separately this 7th day of October, 2019.

Evette Morris, Mayor

ATTEST:

Julie Casteen, City Clerk

APPROVED:

Ronald D. Cates, City Attorney

Ordinance Number XXX

AN ORDINANCE AMENDING CHAPTER 26 SECTION 2603 OF THE ZONING CODE OF THE CITY OF COWETA, OKLAHOMA PERTAINING TO SPECIFIC USE PERMITS; REPEALING ALL ORDINANCES TO THE CONTRARY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA, THAT:

SECTION I. Chapter 26 Section 2603 of the Zoning Code of the City of Coweta, Oklahoma, Specific Use List; is hereby amended to read as follows:

The following uses may be allowed in the applicable zoning districts by Specific Use Permit as granted by the City Council:

- Adult Detention Center/Correctional Facility
- Adult Novelty Shop
- Adult Entertainment Establishments
- Antenna and Antenna Supporting Structure
- Airport - Heliport
- Auto Pool
- Bar/Tavern
- Bed and Breakfast
- Billiard Parlor/Pool Hall
- Casino
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- Cement, Portland Manufacture
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- College or University Hospital
- Commercial Resort Facilities when located on a 40-acre or larger tract
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- Emergency Protective Shelter
- Extraction Operations, Mining and Mineral Processing
- Garbage Dump
- Garbage, Offal, or Dead Animal Reduction or Dumping
- Gravel Operations
- Golf Course

Golf Driving Range
Gun Club
Halfway House
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Night Club
Nursing Homes
Offices – Use when located on a 40-acre or larger tract
Prisons
Private Club
Public or Private Attractions
Public or Private Schools with a compulsory education curriculum
Refuse Dump,
Refuse Transfer Station
Recycling Center
Rehabilitation Centers
Residential Treatment Center
Rifle and Skeet Range
Sand Operations
Sanitary Landfill
Sewage Disposal Facility
Sexually Oriented Business
Small Brewer
Tavern
Trade Schools
Trash or Refuse Transfer Station, All Processing and Storage within Building
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