

# M I N U T E S

## OKLAHOMA COUNTY PLANNING COMMISSION

September 9, 2010

1:30 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Mr. Will K. Jones, Chairman, at 1:30 p.m., in Room 103, Oklahoma County Office Building, 320 Robert S. Kerr, with the following individuals present:

**Mr. Will K. Jones, Chairman**  
**Ms. Cheryl Dorrance, Member**  
**Mr. Roger Holloway, Member**  
**Mr. David Richey, Member**  
**Mr. Joe Blough, Chief Deputy, District #1, (on behalf of Willa Johnson, County Commissioner District #1)**

Also in attendance:

**Mr. Tyler Gammon, Jr., Planning Secretary**  
**Mr. Stacey Trumbo, P.E., County Engineer**  
**Ms. Gretchen Crawford, Assistant District Attorney**  
**Ms. Ruth Walters, County Planner**

Mr. Tyler Gammon, Planning Secretary, called roll and a quorum was declared.

### **Approval of Minutes of the Previous Meeting: (April 8, 2010)**

Mr. Richey motioned to approve the minutes of the previous meeting. Mr. Holloway seconded the motion. Vote taken: Dorrance – Aye, Jones – Aye, Holloway – Aye, Richey – Aye, Blough - Aye. The minutes from April 8, 2010 were approved.

**Discussion and possible action to amend the zoning regulations to include garage sales as an allowed use in residentially zoned districts with the requirements that each garage sale shall be allowed to operate no more than two times a year in any calendar year and no more than three consecutive days for each garage sale.**

Mr. Gammon spoke and gave a brief description of the item in question. He stated that certain areas in unincorporated Oklahoma County have been known to have perpetual garage sales. He added that in recent history these “sales” have gone unaddressed. He went on to add that the Oklahoma County zoning regulations would have to be amended to include a provision for garage sales that would include time limit constraints.

Mr. Jones asked if the garage sales would require a permit.

Mr. Gammon stated that the County did not have enabling legislation that would allow for the permitting of garage sales. He added that planning staff would have to have other methods of “controlling” the garage sales.

Mr. Blough emphasized that District 1 received numerous complaints about garage sales in their district. He added that due to the duration of the sales, traffic concerns and parking issues, Commissioner Johnson would like to attempt to rectify the situation in the best way possible.

Mr. Holloway asked who would enforce the restrictions placed on the sales.

Mr. Gammon answered that the planning and engineering staff would enforce all restrictions on garage sales. He added that staff did have the ability to write citations for zoning and building code violations. He reiterated the fact that garage sales have to be added to the zoning regulations in order to allow tickets to be issued.

Ms. Dorrance motioned that planning staff be instructed to look at zoning regulations and necessary statutes in order to determine how to amend the zoning regulations to include garage sales. Mr. Richey seconded the motion. Vote taken: Dorrance – Aye, Jones – Aye, Holloway – Aye, Richey – Aye, Blough – Aye. Planning staff was approved to develop an amendment to include garage sales in the zoning regulations and present this amendment to the Planning Commission at a later date.

**Discussion and possible action to allow State of Oklahoma licensed wholesalers, distributors or manufacturers to apply for a Special Use Permit for “Year Round Fireworks Sales” in conformance with the newly enacted SB2253.**

Mr. Gammon briefly described the senate bill stating that it was enacted in the early spring and allowed for wholesalers and manufactures to sell fireworks year round. He added that unincorporated Oklahoma County had one special use permit, on I-35 and NE 50<sup>th</sup> St. that allowed a permanent warehouse to sell fireworks twice a year. He added this warehouse had requested to become a distributor of fireworks on a year round basis. Planning staff felt that the best way to handle this request would be to create a new annual special use permit for firework year round sales.

Ms. Dorrance asked if the special use permit would be allowed only in certain zoning districts.

Mr. Gammon answered yes, the special permits would be allowed only in certain zoning districts.

Ms. Walters added that once approved to do so, planning staff would determine which zoning districts would be best suited to allow for these type of special use permits. She also added that the new language would be brought before the Board once it was developed.

Ms. Crawford, to make matters clear, stated that Oklahoma County’s current regulations only allow for fireworks sales bi-annually. She added that now the County had a party that was interested in selling fireworks year round. If the County amended the zoning regulations to allow for year round fireworks sales, what hurdles would the applicant have to overcome to comply with the new regulations and what fees would be incurred. She stated that the item in question was whether or not the Planning Commission would give staff the authority to create a year round sales provision to the zoning regulations. The best category for this provision, in

staff's opinion, would be special use permits allowed only in certain zoning districts for safety concerns.

Mr. Blough motioned to allow planning staff to bring language to the Board that would allow year round firework sales with a special use permit. Mr. Richey seconded the motion. Vote taken: Dorrance – Aye, Jones – Aye, Holloway – Aye, Richey – Aye, Blough – Aye. Planning staff was approved to draft language to include special permits for year round firework sales in the zoning regulations.

**Other Business:**

Mr. Gammon stated that he had inadvertently left acceptance of the Oklahoma County Planning Commission fee fund reports for April through August off the September 9, 2010 agenda. He added that the reports were available for the members to look over, but no action could be taken at that time. He also stated that he would be sure to add the fee fund reports to the next scheduled meeting agenda.

Mr. Gammon stated that the annual election of officers would also be on the agenda for the next scheduled Planning Commission meeting.

**Adjournment:**

Mr. Holloway motioned to adjourn the meeting. Mr. Richey seconded the motion. Vote taken: Dorrance – Aye, Jones – Aye, Holloway – Aye, Richey – Aye, Blough - Aye.. The meeting was adjourned at 1:52 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010

**OKLAHOMA COUNTY  
PLANNING COMMISSION**

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**Will K. Jones, Chairman**

ATTEST:

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Tyler Gammon, Jr., Secretary