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WAGONER COUNTY CLERK  
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CLERK  
WAGONER COUNTY CLERK

Wagoner Metro Area Planning Commission  
Agenda for February 25, 2020

Time: 6:30 p.m.

Location: Wagoner County Courthouse, Courtroom #4, 307 East Cherokee, Wagoner,  
Oklahoma.

1. Call to order
2. Roll call
3. Approval or correction to the minutes from the special meeting on December 17, 2019 and January 28, 2020.
4. Discussion and possible action regarding adoption of meeting procedures.
5. Amendment to Chapter 900 in the 2008 Subdivision Regulations and adoption of new fee schedule.
6. Lot split request for Jason and Misty Craft to include a writer attachment.  
Location: 9252 North 49<sup>th</sup> Street East, Wagoner OK.
7. WCityZ #1-20-c-City of Wagoner, applicant requesting a change of zoning from RS-1 to C-3 for expansion of cemetery. Northern expansion of the Elmwood Cemetery in block 46, City of Wagoner OK.
8. WCityZ #2-20-c-Blue Moon Properties, applicant requesting a change of zoning from RS-1 to O and land use map revision from level 2 to level 3 for a Real Estate Brokerage Office and Property Management. Location: 301 South McQuarrie Ave, Wagoner OK.
9. WCZ #27-20-Bao Lee, applicant requesting a change of zoning from AG to I-3 for medical cannabis growing facility. Location: on the East side of 25<sup>th</sup> Street, ½ a mile North of 820 Road, Muskogee OK.
10. WCZ #5-20-Carolyn McClellan, applicant requesting a change of zoning from AG to RS-22.5 for residential use. Location: 32472 East 710 Road, Wagoner OK.

WMAPC agenda, 2/25/20

11. WCZ #6-20-Blair Stuart, applicant requesting a change of zoning from AG to RS-60 for residential use. Location: 3040 South 289<sup>th</sup> East Avenue, Broken Arrow OK.
12. WCZ #7-20-Clarice Holder, applicant requesting a change of zoning from AG to RS-60 for residential use. Location: 6182 North 27<sup>th</sup> Street West, Porter OK.
13. Lot split request for John Nicks. Location: North of 71<sup>st</sup> Street on the East side of 369<sup>th</sup> East Avenue, Broken Arrow OK.
14. Discussion regarding amendments to the City of Wagoner Zoning Code.
15. Old business
16. New business
17. Adjournment



Wagoner Metro Area Planning Commission  
Minutes for January 28, 2020

Chairman Wagoner called the regular meeting of the WMAPC to order at 6:30 p.m.

Roll was taken and a quorum declared present.

Members present: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones  
Members absent: none

Minutes from the Special meeting on December 17, 2019 were not presented at the meeting.  
The WMAPC board members tabled until February 25, 2020.

Discussion and possible action regarding selection of a new Chairman, Vice-Chairman and Secretary for 2020.

A motion was made by Jones and seconded by Epperson to appoint Wagoner as Chairman, Owens as Vice-Chairman, and Cantrell as Secretary.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones  
Against: none      motion carried

Discussion and public improvements by Wagoner Public Schools, AG-ED building. The presentation was made by Lindsey Trout. Ms. Trout said the school has been working with City of Wagoner Officials regarding the stormwater runoff and parking requirements. It will be a prefabricated building and the sewer will be extended to the facility. Location is on the East side of the Middle School.

Lot split request for Clint and Daniella Burrows. Location: 8777 South 321<sup>st</sup> East Avenue, Broken Arrow OK. A staff report with the recommendation of approval was presented to the board members. The Burrows' had a home built on family land and the title attorney required a lot split. The property is two (2) acres coming from a sixty-eight (68) acre tract.

A motion to approve the lot split was made by Jones and seconded by Cantrell.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones  
Against: none      motion carried

WMAPC minutes, 1/28/20

Lot split request for Deron Helderman. Location: South side of Highway 51 & East of 230 Road. A staff report with the recommendation of approval was presented to the board members. Mr. Helderman plans to sale thirty-four (34) acres and retain ownership of nine (9) acres.

A motion to approve the lot split was made by Jones and seconded by Owens.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones

Against: none      motion carried

WCZ #1-20-Brian Hughes, applicant requested a change of zoning from AG to RS-60 for single family residential use. A staff report with the recommendation of approval was presented to the board members. A lot split was requested on December 17, 2019 and approved by the WMAPC board contingent upon the re-zoning. Mr. Hughes is selling his property and Wagoner County regulations require a residential zoning on property less than ten (10) acres. Location: 28787 East 101<sup>st</sup> Street South, Coweta OK.

A motion to approve the zoning change from AG to RS-60 was made by Jones and seconded by Cantrell.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones

Against: none      motion carried

WCZ #28-19-Wes Coblentz, applicant requested a change of zoning from AG to RS-60 and a plat waiver for a residential neighborhood. A staff report with the recommendation of approval was presented to the board members. The County Engineer Rachael Cooper addressed the members and let them know that the property meets all Wagoner County requirements pertaining to roads and drainage. Water and electric lines are laid and roads are still in construction. There are a total of six (6) lots.

Property owners near the purposed zoning change have concerns regarding the increase in traffic and stormwater runoff. They would like for the property to stay agricultural.

There being no further opposition a motion to approve the zoning change and plat waiver was made by Jones and seconded by Epperson.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones

Against: none      motion carried

WMAPC minutes, 1/28/20

WCityZ #1-20-C-City of Wagoner, requested a zoning change from RS-1 to C-3 for expansion of the Elmwood Cemetery. City of Wagoner Planner Taylor Tannehill gave the presentation to the board members along with a staff report with the recommendation of approval. He told the board that the mailing address on the mail outs was wrong and he made the correction before the meeting. The City will also be going through Board of Adjustment for a variance permit.

Property owners near the purposed zoning change have concerns regarding maintenance of the cemetery property as well as water runoff. The property owners would like for the water to be tested because of concerns about contamination. They had other concerns about the danger of the curved road and street lights.

A motion was made by Maxey and seconded by Cantrell to table the agenda item to further gather information regarding total water runoff as well as quality and quantity, the process of vacating a street and street lights.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones

Against: none      motion carried

Final plat presentation of The Farms on Hansen Road. Location is between 61<sup>st</sup> & 71<sup>st</sup> Street on the East side of 321<sup>st</sup> East Avenue. A staff report with the recommendation of approval was presented to the board members. The subdivision is zoned RS 22.5 and has 47 lots that will be on aerobic systems. All plans have been reviewed and approved by the Wagoner County Engineer and Planning & Zoning Department.

A motion to approve the final plat was made by Epperson and seconded by Maxey.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones

Against: none      motion carried

Under new business ex officio board member Jones made a motion that staff talk to the Board of County Commissioners about the Chairman appointing an ex officio member and three (3) new members to the WMAPC board as well as requesting the presence of legal representation to the WMAPC meetings.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones

Against: none      motion carried

**WMAPC minutes, 1/28/20**

There being no further business a motion for adjournment was made by Jones and seconded by Wagoner.

**Vote:**

**For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones**

The meeting was adjourned at 8:14 p.m.



Wagoner Metro Area Planning Commission  
Special meeting minutes for December 17, 2019

Chairman Wagoner called the special meeting of the WMAPC to order at 6:30 p.m.

Roll was taken and a quorum declared present.

Members present: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones  
Members absent: none

Minutes from the October 29, 2019 meeting were presented for approval or correction. A motion to approve was made by Owens and seconded by Cantrell.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones  
Against: none      motion carried

Lot split request for Brady Bacon. Location: 81<sup>st</sup> street and 321<sup>st</sup> East Avenue, Broken Arrow OK.

A staff report was submitted to the board members with the recommendation to approve the lot split contingent upon the re-zoning of the property.

A motion was made by Jones and seconded by Cantrell to approve the lot split request contingent upon the re-zoning of the parcel.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones  
Against: none      motion carried

Lot split request for Brian Hughes. Location: 28787 East 101<sup>st</sup> Street South, Coweta OK.

A staff report was submitted to the board members with the recommendation to approve the lot split contingent upon the re-zoning of the property.

A motion was made by Jones and seconded by Owens to approve the lot split request contingent upon the re-zoning of the parcel.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones  
Against: none      motion carried

Lot split request for Karrie Fields. Location: 29584 East 36<sup>th</sup> Street South, Broken Arrow OK.

A staff report was submitted to the board members with the recommendation to approve. Ms. Fields told the board that she is financing 5 acres out of 20 per the lenders request in order to build a home.

A motion was made by Cantrell and seconded by Jones to approve the lot split request.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones  
Against: none      motion carried

Lot split request for Ann Gendron. Location: 32681 Long Bay Road, Wagoner OK.

A staff report was submitted to the board members with the recommendation to approve the lot split contingent upon the re-zoning of the property.

A motion was made by Owens and seconded by Cantrell to approve the lot split request contingent upon the re-zoning of the parcel.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones  
Against: none      motion carried

Lot split request for Integrity Title. Location: north side of 31<sup>st</sup> street and west side of 289<sup>th</sup> east avenue, Broken Arrow OK.

A staff report was submitted to the board members with the recommendation to approve the lot split contingent upon the re-zoning of the property.

A motion was made by Jones and seconded by Epperson to approve the lot split request contingent upon the re-zoning of the property.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones

Against: none

motion carried

Discussion regarding the Wagoner County Development process and zoning pertaining to the growing of medical marijuana;

The Wagoner County Engineer and Interim Director of Planning & Zoning Rachael Cooper gave a presentation to the board members. A packet was handed out pertaining to the Wagoner County process which included regulatory practices, timeline, discussion of issues, neighboring city and county codes, and arguments. Ms. Cooper talked about greenhouses being an agricultural use and also what the agricultural uses mean in the County regulations. She questioned the growers on the cross pollination of hemp and medical marijuana.

Joel Kinsch a resident of Wagoner County and a grower presented a packet to the WMAPC board member and staff. Mr. Kinsch represented the growers of Wagoner County. Cannabis can be grown indoors and outdoors. Joel said that the State of Oklahoma requires a nursery license which he sees as an agricultural use and that Wagoner County is the only county requiring industrial zoning. The inspector has been out to his facility and he meets all building codes and regulations. Mr. Kinsch said that the growing of hemp is irrelevant because it is not the same as medical cannabis. He also stated that they have to have inspections done not only by Wagoner County but also the State of Oklahoma and Health department.

Many other growers were in attendance and had the same arguments. They are concerned about losing their licenses and being in violation of the State of Oklahoma Laws. The growers argued that Wagoner County is the only county in Oklahoma requiring an industrial zoning for the growing of medical cannabis and they have spent thousands of dollars on starting up a business that they cannot legally operate.

Discussion and possible action regarding land use zoning code for the growing of medical marijuana.

A board member Albert Jones asked how many growers are currently operating in Wagoner County. He also asked how many licenses have been issued before August 2019. All of the growers in attendance obtained their licenses before August 2019.

The City of Wagoner Planner Taylor Tannehill asked the board members to consider their recommendation. He informed the board that they can place any contingency on the zoning change if they recommend it for approval and they do not have to make recommendations to allow growing in agricultural. Wagoner County has parking requirements and stormwater regulations for indoor growing and that it increases the impact on the land.

A motion was made by Jones and seconded by Epperson; Oklahoma Medical Marijuana Association (OMMA) licensed medical marijuana commercial growing operations are a permitted use in industrial districts I3 and I4 with the following exception: OMMA licensed commercial growers with initial issued date prior to August 30<sup>th</sup>, 2019, and currently situated in an agricultural district qualify as a non-conforming use with the Board of County Commissioners creating a formula for the regulation thereof.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones.

Against: none      motion carried

WCZ #25-19 Curtis Porter, applicant requested a change of zoning from AG to I4 for a storage yard for his current business.

A staff report was submitted to the board members with the recommendation to approve the zoning change request. Mr. Porter as well as Mr. Rick Stiles attended the meeting to present the zoning to the board members. Aerial maps were presented to the board of Mr. Porter's current business Utility Supply Company and the property being requested for zoning change. Staff informed the board that the property owner is in violation and was told that he will be required to re-zone the property and erect an 8' privacy fence separating the residential from the industrial. Mr. Porter and Mr. Stiles said they will put up an 8' privacy fence with a 20' barrier.

Property owners surrounding the requested zoning change had concerns about excessive noise from heavy equipment, dust clouds, and water runoff. They would also like for the property to stay agricultural for a buffer between the industrial and residential.

A motion to approve the zoning change request was made by Epperson and seconded by Jones.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones

Against: none      motion carried

There being no further business a motion to adjourn was made by Jones and seconded by Cantrell.

Vote:

For: Epperson, Maxey, Owens, Wagoner, Cantrell, and Jones

The meeting was adjourned at 10:30 p.m.

# FEE SCHEDULE

| WAGONER COUNTY PLANNING                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| PERMIT/INSPECTION/FINE TYPE                                                                                                                                                                                                                | REQUIRED DOCUMENTATION                                                                                                                                                                                                                                                                                                                                                                       | \$\$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                    |
| NEW BUILDING PERMIT—RESIDENTIAL                                                                                                                                                                                                            | SEE BUILDING PERMIT                                                                                                                                                                                                                                                                                                                                                                          | \$100 – LESS THAN 1000SF<br>\$200 – 1000SF TO 2000SF<br>\$300 – 2000SF TO 3000SF<br>\$400 – 3000SF AND UP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                    |
| NEW BUILDING PERMIT—COMMERCIAL OR INDUSTRIAL                                                                                                                                                                                               | GEOSPATIAL SITE PLAN TO SCALE<br>DRAINAGE PLAN<br>CONSTRUCTION PLANS                                                                                                                                                                                                                                                                                                                         | \$500 OR \$0.25 PER SQUARE FOOT UP TO \$2500, WHICHEVER IS GREATER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                    |
| NEW ADDITION PERMIT—RESIDENTIAL                                                                                                                                                                                                            | ADDITION SQUARE FOOTAGE CONTRACTORS                                                                                                                                                                                                                                                                                                                                                          | \$50 – LESS THAN 500SF<br>\$100 – 500SF TO 1000SF<br>GREATER THAN 1000SF USE NEW CONSTRUCTION FEE SCHEDULE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                    |
| SWIMMING POOL PERMIT                                                                                                                                                                                                                       | \$50                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                    |
| POND PERMIT IN NON-AGRICULTURAL ZONES                                                                                                                                                                                                      | DRAINAGE PLAN                                                                                                                                                                                                                                                                                                                                                                                | \$200                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                    |
| FLOODPLAIN PERMIT                                                                                                                                                                                                                          | CONTACT FLOODPLAIN ADMINISTRATOR                                                                                                                                                                                                                                                                                                                                                             | \$100 – 2 OR FEWER LOTS<br>\$250 – 3 TO 24 LOTS<br>\$500 – 25+ LOTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                    |
| MOBILE HOME INSTALLATION PERMIT                                                                                                                                                                                                            | SEE BUILDING PERMIT                                                                                                                                                                                                                                                                                                                                                                          | \$100                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                    |
| UTILITY PERMIT                                                                                                                                                                                                                             | SEE UTILITY PERMIT                                                                                                                                                                                                                                                                                                                                                                           | \$25                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                    |
| INSPECTIONS                                                                                                                                                                                                                                | REQUIRED WORK LIST FOUND ON INSPECTION FORM<br><br>*INSPECTION FEES ONLY APPLY IF ADDITIONAL INSPECTION TRIP IS REQUIRED<br><br>NOTE: INITIAL FEES PAID INCLUDE PERMIT FEE + REQUIRED INSPECTION FEES + STATE FEE. IF ADDITIONAL INSPECTIONS ARE REQUIRED (RE-INSPECTION OR ADDITIONAL TRIPS) THOSE FEES WILL BE ASSESSED PRIOR TO ISSUANCE OF CERTIFICATION OF COMPLIANCE<br><br>**OPTIONAL | \$40—EROSION/SEDIMENTATION CONTROL*<br>\$40—TEMPORARY DRIVEWAY CULVERT*<br>\$40—BUILDING LINE VERIFICATION*<br>\$40—FOOTING/PIERS/RUNNERS<br>\$40—IN-SLAB PLUMBING/GAS*<br>\$40—FRAME<br>\$40—ROUGH TRADES<br>\$40—ROUGH ELECTRICAL (IN-FRAME)*<br>\$40—ROUGH PLUMBING (IN-FRAME)*<br>\$40—PLUMBING/GAS PRESSURE TEST*<br>\$40—ROUGH MECHANICAL (IN-FRAME)*<br>\$40—TBC (TEMPORARY ELECTRICAL)*<br>\$40—ELECTRICAL DITCH<br>\$40—PERMANENT ELECTRICAL METER*<br>\$40—PLUMBING TOP-OUT*<br>\$40—GAS LINE—GAS DITCH<br>\$40—PERMANENT GAS METER*<br>\$40—FINAL/CERTIFICATE OF OCCUPANCY<br>\$40—FINAL PLUMBING/GAS*<br>\$40—FINAL MECHANICAL*<br>\$40—IN-GROUND POOL SHELL/DECK BOND<br>\$40—SOLAR PANELS<br>\$40—WATER HEATER REPLACEMENT**<br>\$25—OMMA CERTIFICATE OF COMPLIANCE REVIEW |                                                                                                                                    |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                              | LICENSE INFORMATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$100 ANNUALLY                                                                                                                     |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                              | STATE FEE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$4                                                                                                                                |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                              | INFRASTRUCTURE CONSTRUCTION PERMIT***<br>(SUBDIVISIONS OF LAND, PUBLICALLY DEDICATED TRANSPORTATION INFRASTRUCTURE, AND PUBLIC EASEMENTS)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | DRAINAGE REPORT<br>CONSTRUCTION PLANS<br>SWPPP<br>GEOTECHNICAL RECOMMENDATION<br>\$50 – FIRST OFFENSE; \$100 – SUBSEQUENT OFFENSES |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                              | RE-INSPECTION FINE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$250                                                                                                                              |
| NO PERMIT FINE<br><br>RE-PERMITTING FEE (EXPIRED PERMITS)<br><br>RE-ZONING APPLICATION<br><br>VARIANCE/APPEAL REQUESTS (BoA)<br><br>SUBDIVISION APPLICATION FOR PLAT WAIVER (REQUIRES PC REVIEW)<br><br>PRELIMINARY PLAT<br><br>FINAL PLAT |                                                                                                                                                                                                                                                                                                                                                                                              | \$100                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                    |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                              | SEE APPLICABLE ZONING CODE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$50                                                                                                                               |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | \$50                                                                                                                               |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                              | GEOSPATIAL SITE PLAN TO SCALE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | GEOSPATIAL SITE PLAN TO SCALE                                                                                                      |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                              | SEE SUBDIVISION REGULATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$250                                                                                                                              |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                              | SEE SUBDIVISION REGULATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$250                                                                                                                              |
|                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                              | EXAMPLE: NEW HOME 1500SF = PERMIT + INSPECTIONS + STATE FEE = \$100 + \$180 + \$4<br>***ONLY APPLICABLE IF PLATTING IS REQUIRED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                    |

**Section 900     Permits and Inspection Fees**

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**901     Building Permits**

The County issues building permits for the following construction activity:

**A. New Construction**

Building Permit Fee- \$175 for the first 1,000 sq.ft. plus \$4 per 100 sq.ft. over the first 1,000 sq.ft.  
Construction Inspection Fee - \$150 (full package)

**B. Remodeling – Room Additions**

Building Permit Fee- \$50 for the first 1,000 sq.ft. plus \$4 per 100 sq.ft. over the first 1,000 sq.ft.  
Construction Inspection Fee – Individual Inspection Permits as required.

**C. Mobile Home Installation**

Building Permit Fee- \$75  
Construction Inspection Fees -                 \$40 natural gas or propane installation  
                                                                     \$40 electric inspection  
                                                                     \$25 foundation footing inspection

**D. Out Buildings – Including storage buildings, detached garages, and pole barns**

These structures are not intended for residential occupancy.

Building Permit Fee- \$75

Construction Inspection Fees -                 \$40 natural gas or propane installation\*  
                                                                     \$40 electric inspection\*  
                                                                     \$40 plumbing inspection\*  
                                                                     \$25 framing inspection  
                                                                     \$25 foundation footing inspection

**E. Swimming Pools**

**Above Ground Pools - Permit & Inspection Fee - \$50 (One Visit)**  
**In-Ground Pools - Permit & Inspection Fee - \$140    (Two Visit)**

**902     Individual Permits**

Individual permits for Natural Gas or Propane and Electric installation will be issued for \$50.  
This included the cost for the initial inspection.

\* - As required based on the scope of construction.

**903 Re-Inspections**

A fee of \$35 is charged of all re-inspections of each Red Tag issued during a previous inspection.

**904 Commercial Permits**

Commercial building permits are issued on a case-by-case basis and are based on the actual scope of the construction. Permit fees will be quoted upon request.

**905 Working Without a Permit – TIMES TWO Provision**

The Permitting office will enforce a TIMES TWO provision for the issuance of permits “after the fact” meaning that any project that has begun site work without first consulting the County and receiving an approval to start work will be charged the cost of the permit being issued times two.

**906 Waiver of Permit and Inspection Fees**

Individual permit and or inspection fees may be waived for Hardship. These will be presented on a case-by-case basis by the District’s Commissioner where the permits is located and must be approved by unanimous consent of the full Board.

\* - As required based on the scope of construction.

Wagoner County  
Subdivision Regulations  
Adopted August 2008



planning@wagonercounty.ok.gov  
(918)485-8123

# Staff Report

Wagoner County  
Planning & Zoning Department

**Date:** February 25, 2020

**To:** Wagoner Metro Area Planning Commission

**From:** Lisa Miller, Deputy Director

**Re:** Lot split request and writer attachment

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**Applicant:** Jason & Misty Craft

**Property address:** 9252 North 49<sup>th</sup> Street East, Wagoner OK.

**Current zoning:** AG

**Referencing:** Article 2, Section 2.1.3, Page 2.5

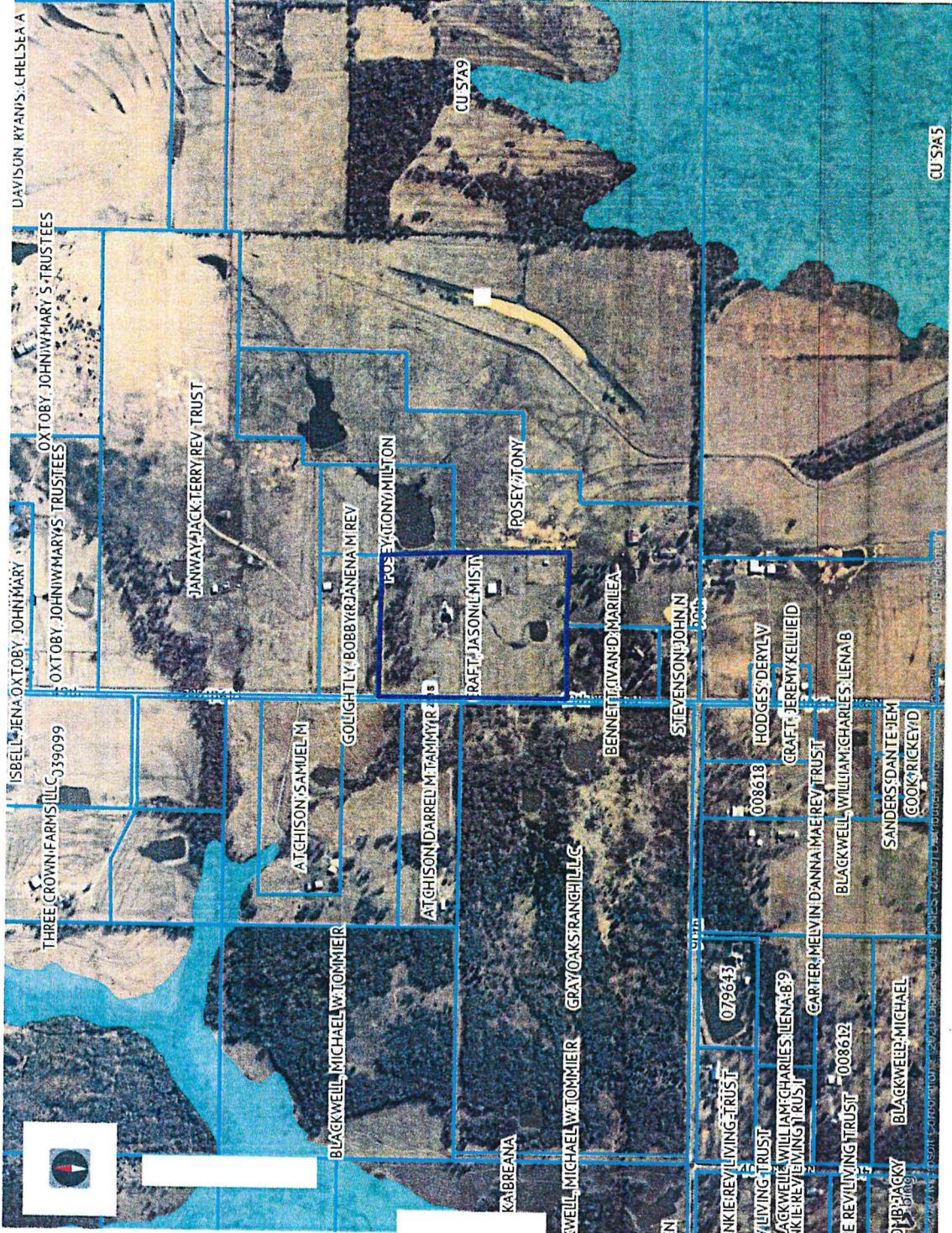
**Recommendation:** Staff recommends to the WMAPC to approve the lot split request to include a writer attachment.

**Summary:** The Craft's are buying roughly 1.24 acre from their neighbor to the East. This property will be added to their existing property containing 16.64 acres via a writer attachment.

**Attachments:**

1. Boundary Survey
2. Aerial

CONNECTEXPLORER





City of Wagoner

Development Services Staff Report

TO: Metropolitan Area Planning Commission  
FROM: Taylor Tannehill, Wagoner City Planner  
DATE: February 25, 2020  
RE: WCITYZ-2-20

**Recommendation: Staff recommends approval of the land use map revision from Level 2 to Level 3 and the zoning change from RS-1 to O.**

Background

Subject Property Address: 301 McQuarrie Street  
Current Zoning: RS-1  
Proposed Zoning: O  
Property Owner: Blue Moon Properties, LLC  
Owner Representative: Janice Graham

Attachments

- Case Map
- Aerial
- Land Use Map

Project Summary

The property owner is applying for a land use map revision and zoning change for one lot with frontage on S. McQuarrie. The land use map is requested to be changed from Level 2, urban residential to Level 3, transitional. The zoning map is requested to be changed from RS-1 to O (Office District) for the purposes of establishing a Real Estate Brokerage & Property Maintenance Firm.

Existing Context

The table below summarizes the existing context proximate to the subject site:

| Existing Land Use                | Existing Zoning    |
|----------------------------------|--------------------|
| Residential – Single Family      | RS-1               |
| Proposed Land Use                | Proposed Zoning    |
| Office                           | O                  |
| Surrounding Land Use             | Surrounding Zoning |
| North: Single Family Residential | North: RS-1        |
| South: Commercial                | South: IL          |
| East: Single Family Residential  | East: RS-1         |
| West: Single Family Residential  | West: RS-1         |

Historic Context

**1957 Original Zoning Ordinance:** Property was zoned R1 – Residential Single Family

**1981 Zoning Ordinance Update:** Property was zoned RS6 – Residential Single Family – High Density

**2019 Zoning Ordinance Update:** Property was zoned R-1 – Residential Single Family – High Density

Relationship with Comprehensive Plan

| Table 2.1.E: Relationship to Land Use Map |      |                                    |          |         |          |          |          |  |
|-------------------------------------------|------|------------------------------------|----------|---------|----------|----------|----------|--|
| District Type                             |      | Comprehensive Plan Intensity Level |          |         |          |          |          |  |
| Abbreviation                              |      | Level 1                            | Level 2  | Level 3 | Level 4  | Level 5  | Level 6  |  |
| Agriculture                               | AG   | Allowed                            |          |         |          |          |          |  |
| Residential                               | RS-1 | -                                  | Allowed  | -       | -        | -        | -        |  |
|                                           | RS-2 | Possible                           | Allowed  | -       | -        | -        | -        |  |
|                                           | RS-3 | Allowed                            | Allowed  | -       | -        | -        | -        |  |
|                                           | RM-1 | -                                  | Possible | Allowed | -        | -        | -        |  |
|                                           | RM-2 | -                                  | Allowed  | Allowed | -        | -        | -        |  |
|                                           | RM-3 | -                                  | Allowed  | Allowed | -        | -        | -        |  |
|                                           | RMH  | -                                  | Allowed  | -       | -        | -        | -        |  |
| Mixed-Use                                 | DM   | -                                  | -        | -       | Allowed  | -        | -        |  |
|                                           | LM   | -                                  | -        | Allowed | Possible | Allowed  | -        |  |
|                                           | CM   | -                                  | -        | Allowed | -        | Allowed  | -        |  |
| Commercial and Industrial                 | O    | -                                  | -        | Allowed | Allowed  | Allowed  | -        |  |
|                                           | C-1  | -                                  | -        | Allowed | Possible | Allowed  | -        |  |
|                                           | C-2  | -                                  | -        | Allowed | -        | Allowed  | -        |  |
|                                           | C-3  | -                                  | -        | -       | -        | Allowed  | Possible |  |
|                                           | IL   | -                                  | -        | -       | -        | Possible | Allowed  |  |
|                                           | IH   | -                                  | -        | -       | -        | -        | Allowed  |  |

**Level 2 – Urban residential.** Urban residential includes most residential zoning types. It is intended to provide a variety of housing options and opportunities for the citizens of Wagoner. Typical developments in urban residential areas are residential subdivisions as well as small to medium scale multifamily developments.

**Level 3—Transitional.** The transitional land use area is the broadest intensity level in the matrix. These areas are designed to buffer commercial development from residential developments. The transitional area also encourages mixed-use style development that includes retail, office, and residential land use types.

This development does not coincide with the Future Land Use Map that was adopted with the Comprehensive Plan. In this case, the applicant is required to apply for a land use map revision as well as a zoning map amendment. The applicant as applied for both, a land use map revision as well as a zoning map amendment. If the land use map revision is approved, the intended use would be allowed in the requested land use intensity level.

Relationship with Zoning Ordinance

If approved the property owner would be required to meet the minimum landscaping, signage, parking and fencing required in the zoning ordinance.

Landscaping Requirements

**E. Landscaping Requirements – Nonresidential and Multifamily Developments**

**1. Coverage**

Where landscaping is required, there shall be a minimum of one (1) tree and five (5) shrubs for every two thousand (2,000) square feet of landscape area. The landscape area shall consist of all areas not occupied by structures, water bodies, water ways, impervious areas, easements, and stormwater facilities. All other space not occupied by structures, water bodies, water ways, impervious areas, easements, and stormwater facilities shall have a ground cover of living materials, including but not limited to grass and other ground-covering plant materials.

**2. Location**

Along all public and private streets, trees shall be planted at fifty foot (50') intervals within ten feet (10') of the property line. Trees may be in clusters or dispersed evenly along the property's street frontage. Landscape materials within the sight distance triangle shall have a height not to exceed thirty inches (30").

**3. Parking Lot Landscaping**

**a. Parking Lots Abutting Right-of-Way**

When required off-street parking and public right-of-way are contiguous, a landscaped buffer of three to five feet (3'-5') in width, built to the street right-of-way is required. The buffer area shall be landscaped with eight (8) shrubs or two (2) trees for every fifty (50) linear feet of public right-of-way frontage. Wheel stops or six inch (6") curbing shall also be provided to prevent vehicle overhang.

**b. Parking Islands**

- i. A landscape island with a planting area at least ten feet (10') in width and eighteen feet (18') feet in length shall be provided on each side of all drives that provide access from the street to the property.
- ii. Developments requiring thirty (30) or more parking spaces shall allocate a minimum area equal to ten percent (10%) of the total area covered by the parking lot for landscaped islands. The area covered by the parking lot shall include parking stalls, and vehicular circulation isles, but exclude driveways, access drives, loading areas, and similar access features.

- iii. Landscaped parking islands shall be a minimum of ten feet (10') in width and a minimum of one hundred and eighty (180) square feet.
- iv. Parking islands shall have a minimum of one (1) tree and one (1) shrub per one hundred and eighty (180) square feet.
- v. All parking islands shall be protected by a raised six inch (6") curb.
- c. Distance Requirement  
No parking space shall be located more than seventy-five feet (75') from a landscaped area.
- d. Properties Abutting Residential Districts  
Whenever a nonresidential use is proposed adjacent to a Residential District, the nonresidential use shall provide a landscaped buffer of at least ten feet (10') in width within the nonresidential property, planted with a minimum of one (1) medium to large evergreen tree and ten (10) shrubs for each thirty linear feet (30') or portion thereof of adjacent exposure. A berm or masonry wall may be placed within the landscaped edge in lieu of the required shrubs.
- 4. Tree Protection  
For every existing mature tree that is preserved in an area where landscaping is required, the developer shall be given credit of three (3) trees.

**Fencing Requirement**

- 2. *Fencing Separating Zoning Districts*  
For any nonresidential developments abutting an agriculture or residential zoned lot an opaque fence shall be installed and maintained along lot lines. The fence shall be a minimum of six feet (6') in height.

**Parking Requirement**

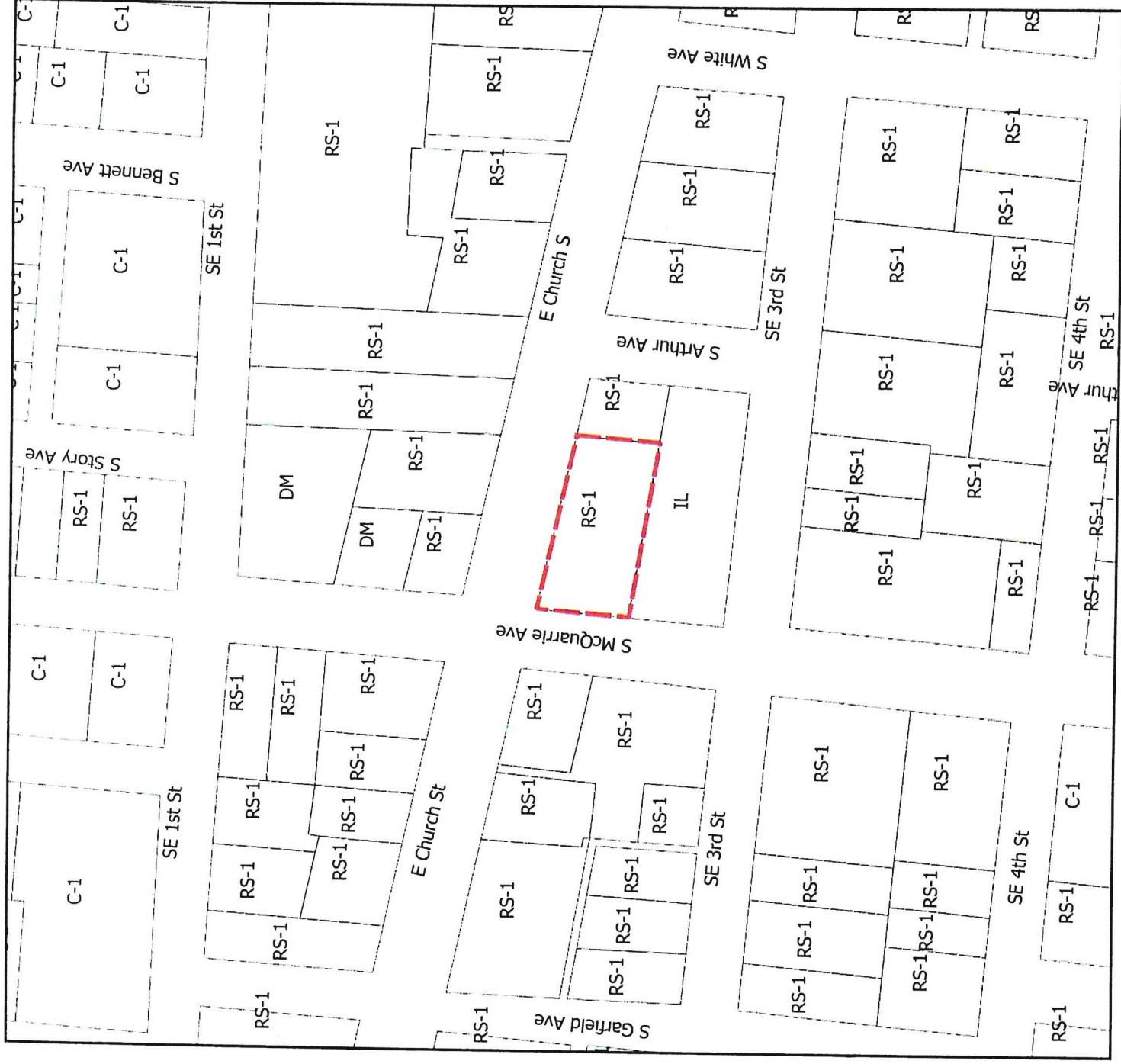
| Office                   |                       |
|--------------------------|-----------------------|
| Business or professional | 1 per 300 square feet |

**Staff Comments**

- a. Although the land use map does not reflect allowance of the intended use, properties nearby have similar and even more intensive land use characteristics than the applicant's requested use. Additionally, the property fronts a major street in the City of Wagoner and the intended use would likely not increase the amount of traffic that already exists on the street. Furthermore, the requirements listed above from the zoning ordinance provide assurances that the property would be improved to a condition to reduce the impact of the use on the neighborhood. Therefore, increasing

the intensity level and allowing this use will not cause potential adverse impacts in the surrounding neighborhood.

- b. The applicant is requesting to change the zoning from RS-1 to O. The office district, although it has existed since 1981, has not been used in the City. If approved this would be the first Office district zoning in the City. Although it does allow a broader range of uses than residential districts, it still limits the uses to office type settings. By comparison the office district allows a total of 19 different uses and the C-1 district (least intensive commercial zoning district) allows a total 39 different uses.



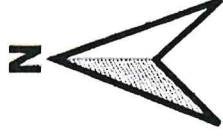
## WCityZ-2-20

Case Map

February 25, 2020

 Subject Property

0 100 200 300 ft





Subject Property

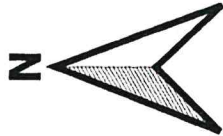
0 100 200 300 ft

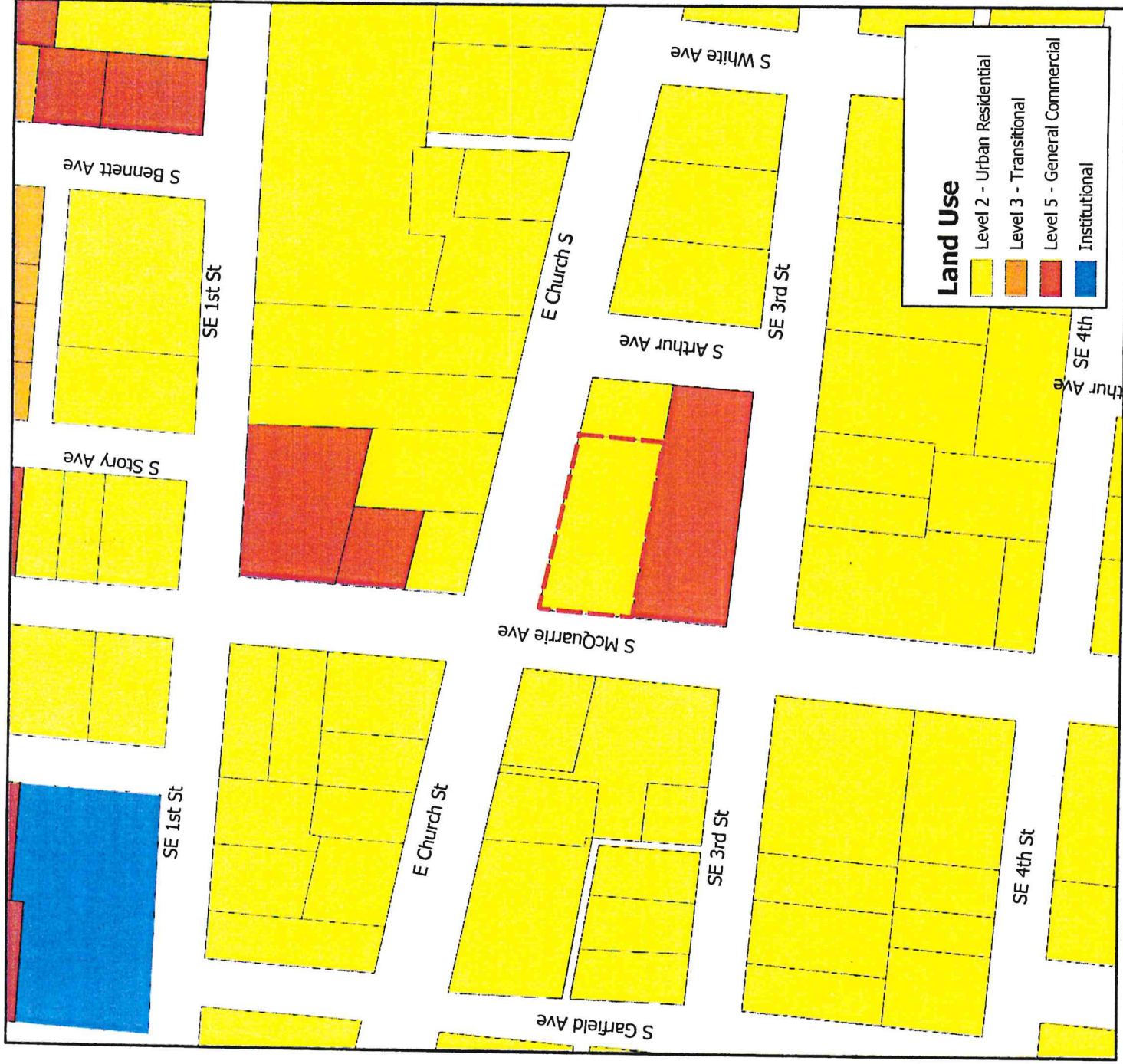


## WCityZ-2-20

Aerial Map

February 25, 2020



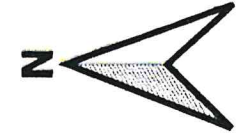


# WCityZ-2-20

Land Use Map

February 25, 2020

Subject Property





# Staff Report

Wagoner County  
Planning & Zoning Department

planning@wagonercounty.ok.gov  
(918)485-8123

Date: February 25, 2020

To: Wagoner Metro Area Planning Commission

From: Lisa Miller, Deputy Director

Re: WCZ #27-19

**Applicant:** Bao Lee

**Property address:** 6380 North 25<sup>th</sup> Street East, Muskogee OK

**Current zoning:** AG

**Proposed zoning:** I-3

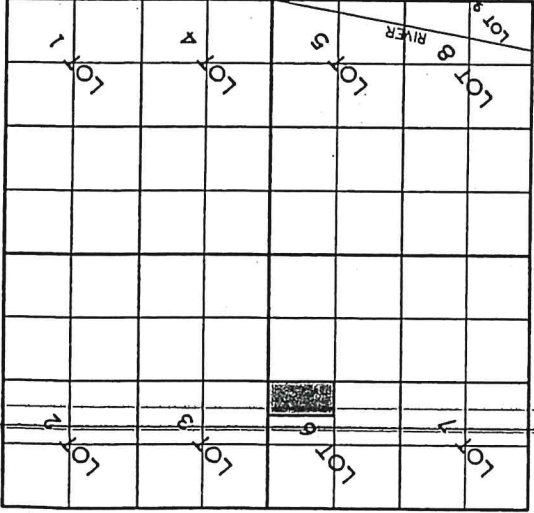
**Recommendation:** Staff recommends to the WMAPC to deny the re-zoning application due to land use in the surrounding area.

**Summary:** Ms. Lee is requesting the change of zoning for the purpose of a medical cannabis growing facility. The property is 18.66 acres and the property owner plans to separate out 5.00 acres for the growing operation.

| Surrounding Land Use             | Surrounding Zonings |
|----------------------------------|---------------------|
| North: Individual Property Owner | North: Agricultural |
| South: Individual Property Owner | South: Agricultural |
| East: Individual Property Owner  | East: Agricultural  |
| West: Individual Property Owner  | West: Agricultural  |

## Attachments:

1. Survey/Legal Description
2. Aerial



# LEGAL DESCRIPTION

## LEGAL DESCRIPTION

The East 5.00 acres of the North 18.66 acres of Lot 6 of Section 30, T16N, R19E of the I.B.&M., Wagoner County, State of Oklahoma:

## LOCATION MAP

SEC. 30 T16 N, R19 E

SCALE: 1"= 200'

● = IRON PIN

—x— = FENCE

□ = CONCRETE PEDESTAL 3'X3'

SE CORNER OF CONCRETE PED. 3'X3'

24.75' STATUTORY RIGHT-OF-WAY

N88°27'36"E

891.47'

N88°27'36"E

329.79'

N1°32'19"W

1981.81'

N1°32'19"W

18.53 AC. - MEASURED  
18.66 AC. - DEED

660.46'

S1°42'12"E

660.40'

5.00 AC.

893.37'

S88°27'02"W

329.78'

S88°27'02"W

FOUND 1/2" IP  
14.6' OFFSET

SW CORNER  
SEC.30,T16N,R19E



JERRY TOWNSEND, LAND SURVEYOR NO. 1657

**Heartland Surveying & Mapping, PLLC**

CA #4849

600 Emporia St., Ste. "C"  
Muskogee, Oklahoma 74401  
(918) 682-7798

FOR: BAO LEE

DATE: 12/09/19

BEARINGS ARE BASED ON  
NAD83(93) OKLAHOMA  
STATE PLANE COORDINATE  
SYSTEM, NORTH ZONE.

W.O.# 8209

SURVEYED BY: RT/JA

DRAWN BY: JT

Last Site Visit: 12/11/12

FILE NAME  
Dec 09, 2019 - 1:12pm  
S:\CAD - HEARTLAND-FILES\W08209.dwg





planning@wagonercounty.ok.gov  
(918)485-8123

# Staff Report

Wagoner County  
Planning & Zoning Department

**Date:** February 25, 2020

**To:** Wagoner Metro Area Planning Commission

**From:** Lisa Miller, Deputy Director

**Re:** WCZ #5-20

**Applicant:** Carolyn McClellan

**Property address:** 32472 East 710 Road, Wagoner OK

**Current zoning:** AG

**Proposed zoning:** RS 22.5

**Recommendation:** Staff recommends to the WMAPC to approve the re-zoning from AG to RS 22.5.

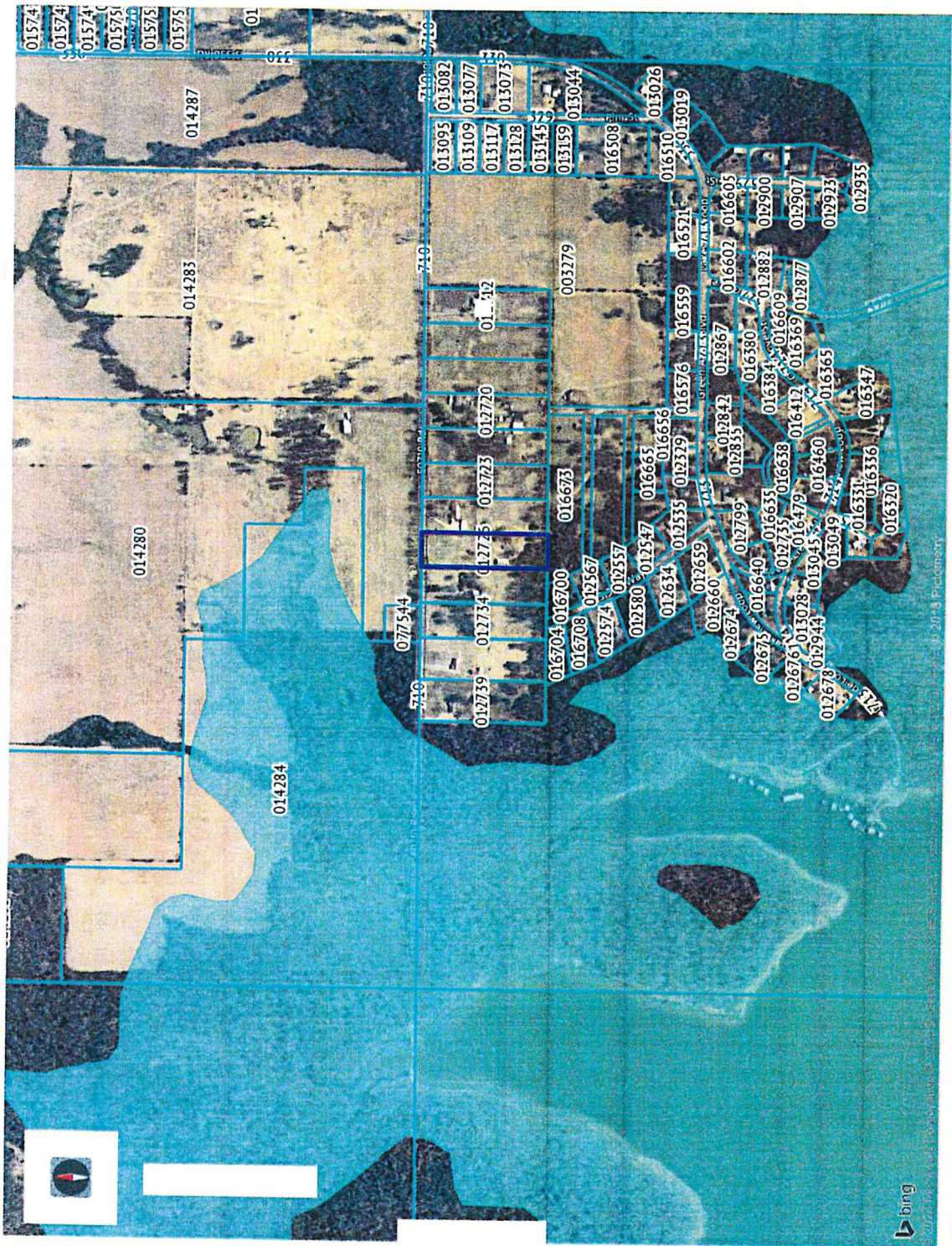
**Summary:** Ms. McClellan is requesting the zoning change and lot split for the purpose of building a second dwelling for family use.

| Surrounding Land Use             | Surrounding Zonings |
|----------------------------------|---------------------|
| North: Individual Property Owner | North: Agricultural |
| South: Individual Property Owner | South: Residential  |
| East: Individual Property Owner  | East: Agricultural  |
| West: Individual Property Owner  | West: Agricultural  |

**Attachments:**

1. Subdivision Plat
2. Aerial

[illegible]





planning@wagonercounty.ok.gov  
(918)485-8123

# Staff Report

Wagoner County  
Planning & Zoning Department

**Date:** February 25, 2020

**To:** Wagoner Metro Area Planning Commission

**From:** Lisa Miller, Deputy Director

**Re:** WCZ # 6-20

**Applicant:** Blair Stuart

**Property address:** 3040 South 289<sup>th</sup> East Avenue, Broken Arrow OK

**Current zoning:** AG

**Proposed zoning:** RS-60

**Recommendation:** Staff recommends to the WMAPC to approve the re-zoning change from AG to RS-60.

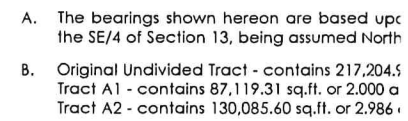
**Summary:** Mr. Stuart is requesting the change of zoning so that he may split his land and sale the back two (2) acres to his neighbor to the southwest. He plans to keep the remaining three (3) acres with the home.

| Surrounding Land Use             | Surrounding Zonings |
|----------------------------------|---------------------|
| North: Individual Property Owner | North: Agricultural |
| South: Individual Property Owner | South: Agricultural |
| East: Individual Property Owner  | East: Agricultural  |
| West: Individual Property Owner  | West: Agricultural  |

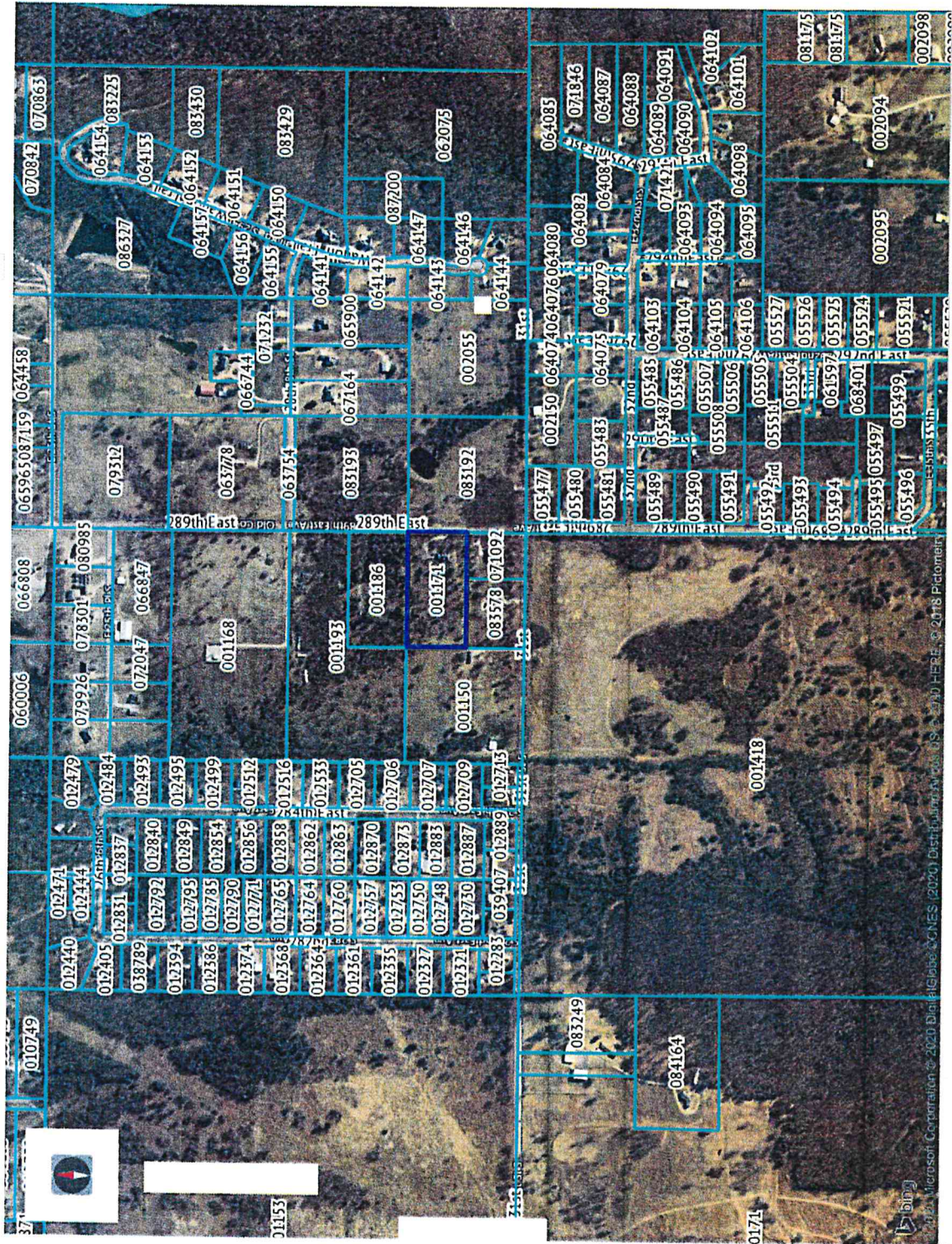
**Attachments:**

1. Lot Split Exhibit
2. Aerial

OF: A Tract of land located in the SE/4 SE/4 SE/4  
of Section 13, Township 19 North, Range 15 East, Wagoner County, State of Oklahoma



CONNECTEXPLORER





planning@wagonercounty.ok.gov  
(918)485-8123

Staff Report

Wagoner County  
Planning & Zoning Department

Date: February 25, 2020

To: Wagoner Metro Area Planning Commission

From: Lisa Miller, Deputy Director

Re: WCZ # 7-20

**Applicant:** Clarice Holder

**Property address:** 6182 North 27<sup>th</sup> Street West, Porter OK

**Current zoning:** AG

**Proposed zoning:** RS-60

**Recommendation:** Staff recommends to the WMAPC to approve the zoning change from AG to RS-60.

**Summary:** Ms. Holder is requesting a change of zoning so that she may sale her property. Wagoner County regulations require a residential zoning for property containing less than ten (10) acres. She will also be requesting a subdivision of land that she does not meet requirements for.

| Surrounding Land Use             | Surrounding Zonings |
|----------------------------------|---------------------|
| North: Individual Property Owner | North: Agricultural |
| South: Individual Property Owner | South: Agricultural |
| East: Individual Property Owner  | East: Agricultural  |
| West: Individual Property Owner  | West: Agricultural  |

**Attachments:**

1. Plat of Survey
2. Section map
3. 19-866.12 Plats & Subdivisions
4. Aerial

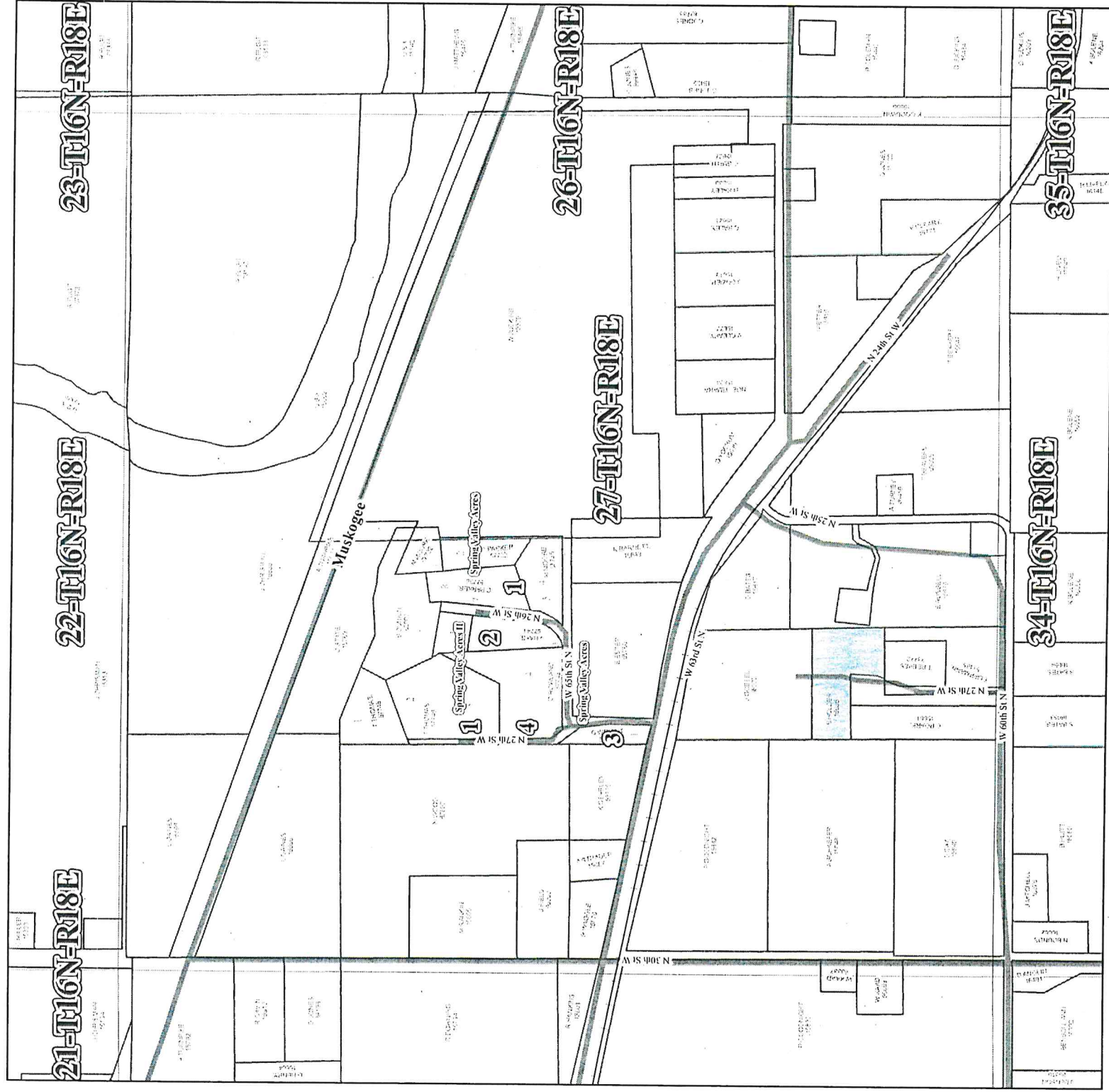
**Notes:** Ms. Holder will also be required to obtain a lot split but because she does not meet Title 19-866.12 staff will recommend denial. She must go through the process of platting her property in order to meet the regulations and subdivide her land.

If the WMAPC Board Members decision is to deny the subdivision of land, the applicant can appeal to the Board of County Commissioners within ten (10) days of the denial.



## Section 27-T16N-R18E

Date created 2/14/2019  
Reference Scale: 1:8,400



**WAGONER COUNTY MAPPING DEPARTMENT**  
**Sandy Hodges, Wagoner County Assessor**



The contents of these maps are for the Wagoner County Reappraisal Program. Guidelines were established in accordance with Oklahoma Mapping Standards. Property descriptions are unofficial and Wagoner County assumes NO responsibility for any subsequent usage outside of the Reappraisal Program.

View the **2018 Oklahoma Statutes** | View Previous Versions of the Oklahoma Statutes

# 2014 Oklahoma Statutes

## Title 19. Counties and County Officers

### §19-866.12. Plats and subdivisions - Rules and regulations.

**Universal Citation:** 19 OK Stat § 19-866.12 (2014)

The commission is hereby empowered to adopt rules and regulations of uniform application governing plats and subdivisions of land falling within its jurisdiction. Such regulations shall be submitted to the council and to the board for approval and shall not be in force or effect within the corporate limits of the municipality until approved by the council and shall not be in force or effect within any part of the county, except within the municipality, until approved by the council and the board.

For the purpose of this act, a subdivision is defined as any division of land into two or more lots, parcels, tracts, or areas, any one of which when divided has an area of less than ten acres, or any division of land involving the vacation or dedication or right-of-way or alignment of an existing or proposed street or highway or public utility easement, or the resubdivision of land heretofore divided into lots, sites or parcels.

Such regulations shall be designed to secure and provide for the proper arrangement of streets or other highways in relation to existing or planned streets or other highways or to the comprehensive plan or plans of the area; for adequate and convenient open spaces for traffic, utilities, access of fire-fighting apparatus, parking lots, parks, playgrounds, light and air; and for the avoidance of congestion of population. Such regulations may include provisions as to the extent to which streets and other highways shall be graded and improved and to which water, sewer, or other utility mains, piping and other facilities shall be installed or assured as a condition precedent to the approval of the plat; the council and/or the board are hereby authorized to prepare such specifications and to make such order, inspections, examinations, and certificates as may be necessary to protect and carry out such regulations and make them effective, and to charge fees to services rendered and

benefits involved as hereinafter provided or as may be provided by the respective governing bodies.

Such rules and regulations shall provide for the modification thereof by the commission in specific cases where unusual topographical or other exceptional conditions may require the same. Such regulations shall provide for a tentative approval of the plat previous to the installation of such improvements and facilities, provided, that any such tentative approval shall be revocable and shall not be entered on the plat. Such regulations may provide that in lieu of the completion of the construction of the required improvements and facilities prior to the final approval of the plat, the board of council may accept bond in an amount and with surety and conditions satisfactory to them, providing for and securing to the council and board the actual construction of such improvement and facilities within a specified period, and the council and board are hereby granted the power to enforce such bond by legal and equitable remedies. Such rules and regulations shall be adopted, changed, or amended only after a public hearing has been held thereon by the commission. Such hearing may be adjourned from time to time. The adoption of the rules and regulations or amendments thereto, as above provided, shall be by resolution carried by not less than a majority of the full membership of the commission. Upon adoption by the commission, and upon approval by the board and council such rules and regulations or amendments thereto shall be certified to the county clerk of such county and the city clerk of the municipality for safekeeping and as a public record and shall be enforced as in this act provided.

Added by Laws 1957, p. 131, § 12, emerg. eff. May 31, 1957. Amended by Laws 1963, c. 212, § 3, emerg. eff. June 11, 1963.

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