

ORDINANCE NO. 713

AN ORDINANCE OF THE CITY OF BLANCHARD, OKLAHOMA AMENDING SECTION 21-401 IN ARTICLE 4 AND ADDING SECTION 21-511 IN ARTICLE 5 ALL IN CHAPTER 21 OF THE BLANCHARD MUNICIPAL CODE PERTAINING TO HOME OCCUPATIONS; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Paragraph 59 of Chapter 21, Article 4, Section 21-401, "INTERPRETATION OF WORDS AND TERMS" of the Code of Ordinances of the City of Blanchard, Oklahoma, is hereby amended to read as follows:

59. HOME OCCUPATION: Any occupation or profession carried on by a member of a family residing on the premises, subject to the regulations of the Zoning Code, Blanchard Code of Ordinances, and other applicable regulations. Cross reference to Section 21-511.

SECTION 2. That Chapter 21, Article 7, Section 21-511 "HOME OCCUPATIONS" of the Code of Ordinances of the City of Blanchard, Oklahoma, is hereby added to read as follows:

§ 21-511 HOME OCCUPATIONS.

A. A home occupation is any occupation or profession carried on in a residence which is clearly incidental and secondary to the residential use of the premises; does not change the residential character or physically alter the appearance of the property; and is subject to all city ordinances, including but not limited to:

1. The parking of a commercial vehicle assigned or owned by a person who resides on the premises and otherwise does not conduct business on the premises shall be regulated by § 21-505 "Trailers and Commercial Vehicles".

2. The conducting of occasional "host" parties where goods, such as cosmetic supplies, are sampled or displayed is not considered a home occupation.

3. Home occupation regulations shall not apply to those who telecommunicate or operate a home office when no additional traffic is generated.

B. Conditions for home occupations.

1. Location. The home occupation must be entirely located within the dwelling or an associated accessory building on the same lot of the primary dwelling size that is compatible to the design and size of other accessory buildings in the area. Outside storage of any kind related to the home occupation shall generally not be visible from the public right-of-way and surrounding residentially-zoned properties;

2. Employees and residency. The principle person or persons providing the business or service shall reside in the dwelling on the premises. The home occupation shall employ no more than one (1) person who does not reside on the premises.

C. Neighborhood compatibility.

1. All vehicles used in connection with the home occupation shall be of a size, and located on the premises in such a manner, so as not to disrupt the quiet nature and visual quality of the neighborhood. All vehicles and trailers must comply with § 21-505 "Trailers and Commercial Vehicles".

2. There shall be sufficient off-street parking for patrons of the home occupation, with the number of off-street parking spaces required for the home occupation to be provided and maintained in addition to the space or spaces required for the dwelling itself pursuant to § 21-506 "Off-Street Parking".

3. There shall be no advertising devices on the property, or other signs of the home occupation, which are visible from outside the dwelling or accessory building except that one (1) non-illuminated nameplate, not more than two (2) square feet in area attached to the main or accessory building or located in a window, may be permitted.

4. The property shall contain no outdoor display or storage of goods or services that are associated with the home occupation.

5. Wholesale or retail sales of goods, open to the public, shall not occur on the premises.

6. The home occupation shall not create traffic or parking congestion, noise, vibration, odor, glare, fumes, sewerage or water use in excess of what is normal in the residential neighborhood, or electrical communications interference than can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception. The home occupation shall not create a nuisance.

7. No deliveries by commercial vehicles outside of the typical parcel courier service (i.e. USPS, UPS, FedEx, etc). Home occupations requiring any deliveries or exports utilizing a freight hauler are prohibited.

D. Home occupations requiring a conditional use permit. The following uses, because of their potential impacts on the surrounding residential area, may be permitted only after receiving a conditional use permit following the procedures established in § 21-921 "Procedure for Authorizing Conditional Uses". The Planning Commission and City Council shall take into account the potential impact on the surrounding residential area, impact on traffic, potential to create a nuisance, and other criteria specified in this section. Any conditional use permits granted shall expire when the applicant no longer resides at the approved site or thirty (30) days after the resident ceases the home occupation, whichever occurs first; and is not transferrable to any other location or person.

1. Base or office for an employer where up to four (4) employees assemble to go to job sites provided ample parking is available for the employees.

2. Welding, plumbing, electrical or shop, or similar shops.

3. Carpentry, cabinet making, metal work, fabrication or assembly of products for transport to a site off premises.

4. Medical Marijuana Commercial Growing and Processing Facilities.

5. Clinic, doctor's office, or dentist's office.

6. Barber shop or beauty parlor.

7. Child care home.

8. Bed & Breakfast.

9. Lawn mower repair.

10. Auto repair or motorized implement repair (other than minor service of personal vehicles owned by person living on the premises or their friends and relatives).

SECTION 3. REPEALER. All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY. In the event any word or sentence in this ordinance, or provision or portion of this ordinance, or rules adopted by this ordinance is invalidated by any court of competent jurisdiction, the remaining

words and/or sentences, provisions, or portions thereof shall not be affected and shall continue in full force and effect.

SECTION 5. EMERGENCY. Whereas, it being immediately necessary for the preservation of the public health, peace and safety of the City of Blanchard and the inhabitants thereof, an emergency is hereby declared to exist, by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED and **APPROVED** and the Emergency Clause voted upon separately by the City Council of the City of Blanchard, Oklahoma on this 28th day of January, 2020.

Eddie Ollie

Mayor

ATTEST:

Brenda M. Laird

City Clerk



APPROVED AS TO FORM on this 28 day of January, 2020.

D.L.P.

City Attorney