

PLANNING COMMISSION MEETING AGENDA
MARCH 25, 2025



723 S. Lewis Street, Room 1122
Stillwater, OK 74074
5:30 PM

Chair Jana Phillips, Vice-Chair Riley Williams, Commissioner Mike Shanahan, Commissioner Mark Prather, and Commissioner David Peters.

NOTE: Members of the Planning Commission and City Staff will gather prior to the regular meeting in Room 1121 beginning at 5:00 PM. No Planning Commission business will be discussed or otherwise acted upon at this time. This is not a closed session, and members of the public and press are welcome to attend.

1. Call Meeting to Order

2. Public Hearing

The Planning Commission will hear public comments, discuss, and take action including a vote or series of votes on each item unless otherwise indicated.

a.	Receive public comment regarding an application for a SHORT TERM RENTAL (STR-0199) from Jeff Black with Black Properties, for a property addressed as 135 S. Orchard Street, in the Small Lot Single-Family Residential (RSS) with the Westwood Overlay zoning district.	Joshua Brown
b.	Receive public comment regarding a Text Amendment to Chapter 23, Land Development Code, Article III, Land Development Process, Section 23-63, Plat/Subdivision Approval Process; Repealing all ordinances to the contrary; and providing for severability.	David Barth
c.	Receive public comments for a Text Amendment to Chapter 23, Land Development Code, Article XVII, Required Improvements, Division 3, Improvements, Section 357, Water Distribution System, Subsection (e) and Section 358, Sanitary Sewer Collection System, Subsection (e); Chapter 41, Utilities, Article IV, Water Service, Division 1, Section 41-113, Tie-On Charge, Subsection (b) and Division 5, Service Extensions, Section 41-244, Lease-Purchase Agreement; Chapter 41, Utilities, Article V, Sewers and Sewage Disposal, Division 11, Sewer Main Extensions, Section 41-590, Payment of Costs and Section 41-591, Lease-Purchase Agreement; and adding Chapter 41, Utilities, Article IV, Water Service, Division 5, Service Extensions, Section 41-245, Payment of Costs; Repealing all ordinances to	David Barth

	the contrary; and providing for severability.	
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3. Meeting Summary for Review and Possible Action

a.	Regular meeting summary of February 25, 2025.
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4. Miscellaneous Items from Staff, Planning Commissioners or City Attorney for Discussion and Possible Action

a.	Next regular meeting is Tuesday, April 1, 2025.
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5. Adjourn

On _____ at _____, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 723 S. Lewis Street, Stillwater, OK.

The Planning Commission may take action, including a vote or series of votes on all items listed on the agenda, unless the item specifically indicates that no action will be taken. The City of Stillwater encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, please notify the Community Development Desk at least 48 hours prior to the meeting by calling 405.742.8220.

- Meetings are televised on AT&T U-verse channel 99 and Optimum channel 14.
- Find meeting agendas and minutes online at [Agendas and Minutes](#)
- Official minutes are archived in the Office of Community Development.

MEMORANDUM

DATE: March 25, 2025
TO: Stillwater Planning Commission
FROM: Josh Brown, Project Manager
SUBJECT: Short-Term Rental (STR) Application Review

Under the recent Ordinance 3435, short-term rentals (STR) are to be licensed with the City if located within RSL, RSS, or RT zoning districts. As part of the licensing process, property owners within 300-feet of the subject property are notified of the STR application and have 30-days within which to file an appeal to the licensing.

At this time, objections(s) have been filed on STR application requests:

- **135 S Orchard Street** in the Small Lot Single-Family Residential (RSS) zoning district.

The Planning Commission is the hearing body for STRs. The hearings will be held as a Specific Use Permit hearing except there is no staff report or presentation. The criteria by which the Planning Commission is to review the STR applications is Section 23.180, attached with the consideration criteria highlighted. The applicant for the STR has the burden for their case.

A question of private restrictions/covenants is likely to arise. The City cannot enforce private restrictions/covenants but the Planning Commission can give weight to them as part of the deliberative process.

The City of Stillwater® OKLAHOMA	Application for RESIDENTIAL SHORT-TERM RENTAL
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Property Owner: Black Properties Mailing Address: 3724 Timberline NW
Stillwater, OK

Owner Contact Information: Phone: 405 338 2259 Email: jamrblack@blackglobal.net

Property Management Contact Name: Jeff Black

Phone: 405 338 2259 Email: jamrblack@blackglobal.net

Property Street Address: 135^S Orchard St

Zoning Classification: RSS Number of Bedrooms Offered for Rent: 5

URL for an advertisement of the rental: Mr BNB

Required documents to be submitted with the residential short-term rental application.

SUBMITTED BY APPLICANT	DOCUMENT	VERIFIED BY CITY
	Completed Application form	
	Typewritten list & electronic/digital data capable of being reproduced as mailing labels, certified by the Payne County Assessor, licensed abstractor, attorney, engineer or architect, of all property owners within 300 feet of the subject property. List shall be prepared no more than 30 days prior to submission.	EMAIL TO FOLLOW
	Initial application fee of \$100.00. NOTE: Licenses expire January 31 of each year or upon change of ownership. The annual renewal fee is \$10.00.	✓
*	Completed Notarized Affidavit form verifying working smoke detectors, working carbon monoxide detector, and functioning fire extinguisher.	✓
	Floorplan depicting the location of: • Rooms provided for rent • Smoke detectors • Carbon monoxide detector • Fire extinguishers	✓
	Proof of Ownership by either a recorded deed, a recorded homestead exemption, or a screenshot of the ownership record from the Payne County Assessor (Payne County Assessor website)	✓
	Sales Tax Permit issued by State of Oklahoma or evidence tax collection is done by a rental agent. Evidenced by either a completed and executed contract or notarized statement from the rental agent.	✓

APPLICANT SIGNATURE: *David [Signature]* DATE: 1/23/2025

Date Application Received: 2-4-25 Application # STR-0199 Received by: AC

30-Day Objection Period: 3-10-25 Objection Filed: ☐ YES ☐ NO PC Hearing Date: _____

Approval Date: _____ Denial Date: _____

City of Stillwater

Customer Receipt

2/4/2025

R16384

Job ID: STR-0199 - \$100.00
135 S ORCHARD ST -

SHORT TERM RENTAL

SHORT TERM RENTAL- \$100.00
NEW

Job ID: STR-0200 - \$100.00
921 S STANLEY ST -

SHORT TERM RENTAL

SHORT TERM RENTAL- \$100.00
NEW

Tender Detail:

Total Tendered: \$200.00

Total Paid CHECK

4939

\$200.00

Signature for credit card

Thank you for your payment

Smoke and Carbon Monoxide Alarms Affidavit

Property Address

- Street Address: 135 Orchard Street,
- City: Stillwater
- State: OK
- ZIP Code: 74074

Owner/Agent Information Owner/Agent Name

- Full Name: Black Properties LLC
- Phone Number: 405-338-2259
- Email Address: jamieblack@sbcglobal.net

Smoke and Carbon Monoxide Alarms Verification

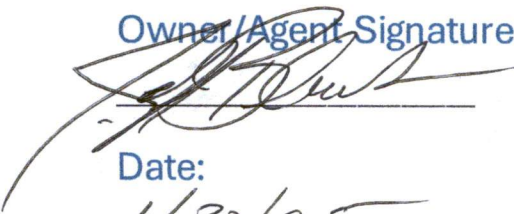
Alarm Information

- Working Smoke Alarms :
- Carbon Monoxide Alarms :
- Functioning Fire Extinguisher :

Certification

I Jeff Black, the undersigned, certify that the property located at the address listed above will be equipped with functioning smoke and carbon monoxide alarms as required by law before it goes on to the rental market. These alarms will be tested and in good working condition.

Owner/Agent Signature:



Date:

11/30/25

State of Oklahoma

County of Payne

On this 30 day of January, 2025, before me, Elizabeth Lukehart (name of notary), personally appeared Jeff Black (name of signer), who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that they executed the same.

In witness whereof, I hereunto set my hand and official seal.

Elizabeth Lukehart

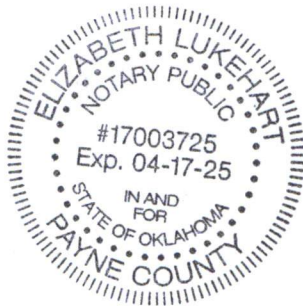
Notary Public Signature

Elizabeth Lukehart

Notary Public Printed Name

My commission expires: 04-17-25

Notary Seal:

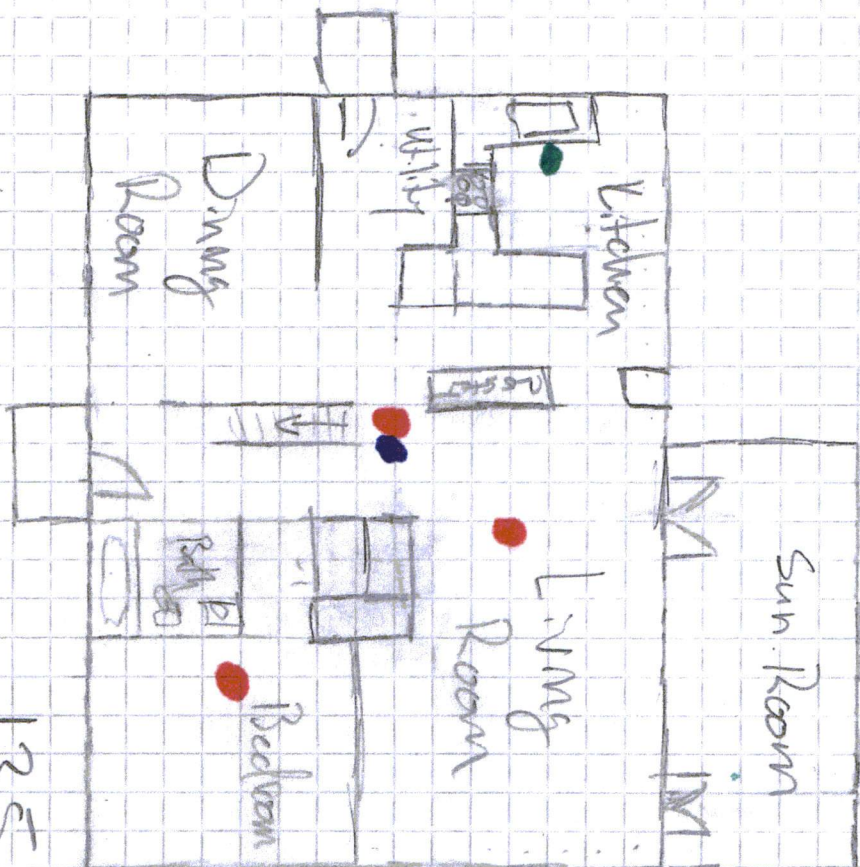


□ = 2x2

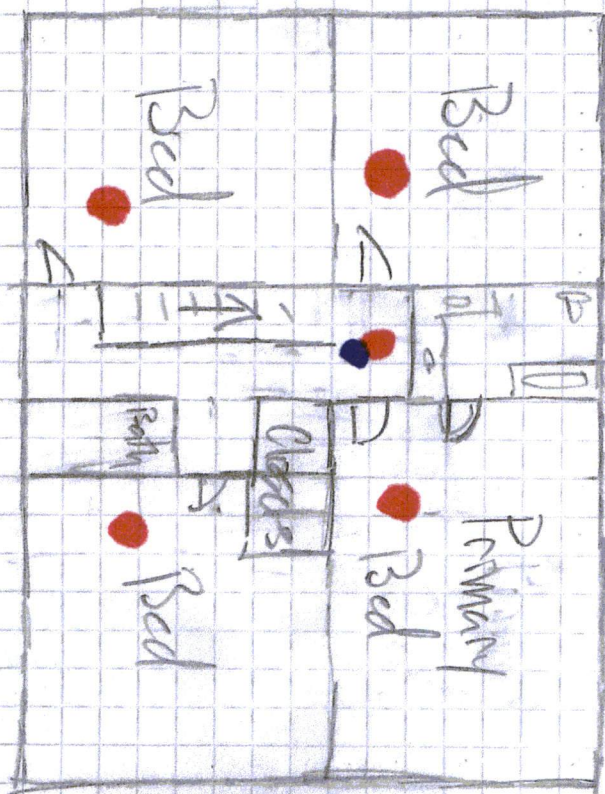
Not to Scale Estimated Measurements

Smoke 1st Floor
- Carlson Menoride
fine exchange

2nd Floor



135 S Orchard





Payne County Oklahoma Assessor's Office

600022753

135 S Orchard St

Black Properties, LLC

3724 Timberline Dr

Stillwater OK 74074-9222

2024 Market Value

\$454,870

KEY INFORMATION

Parcel ID	19N02E-15-3-SC600-006-0020		
Land Size	2.00000	Land Unit	Lot
Class	UR	School District	Stillwater Town (016T)
Exemption	-	Section	15
Township	19N	Range	02E
Neighborhood	Stillwater OSU/Campus		
Legal Description	College Gdns Add 1st Sec Repl Blk 6 Lots 20-21		

2024 APPRAISAL DETAILS

Land Value	\$69,000
Building Value	\$385,870
Misc Imp Value	\$0
Total Market Value	\$454,870

SALES

SALE DATE	SALE PRICE	DEED BOOK	DEED PAGE	INSTRUMENT TYPE	GRANTOR
07/20/2004	\$0	1516	414	Warranty Deed	BLACK, DAVIS F & MARJORIE L

BUILDING DETAILS

IMPROVEMENT TYPE	UNITS/SQ FT	EST YEAR BUILT
Paving, Concrete	50	1939
Paving, Concrete	228	1939
Paving, Concrete	1167	2016
Single 2-Story Fireplace	1	1939

YARD ITEMS

DESCRIPTION	TOTAL UNITS	YEAR BUILT	LENGTH	WIDTH	HEIGHT
No items to display					

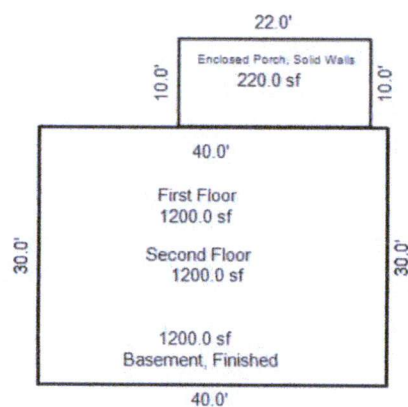
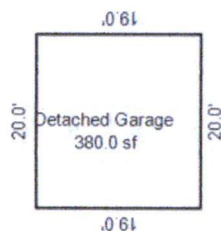
LAND

UNITS	USE CODE	WIDTH	DEPTH	DESCRIPTION	USE VALUE
1.25000	Lot	-	-	College Gdns Add	\$69,000



BUILDING (1) - 135 S ORCHARD ST

Type	Single-Family Residence	Style	Two Story
Finished Living Area	2,400 sf	Basement	1,200 sf
Quality	Average +	Condition	Good
Year Built	1939	Exterior Walls	Frame, Siding, Vinyl
Roof Cover	Metal, Preformed	HVAC	Warmed & Cooled Air
Bedrooms	4	Full Bath	3
Half Bath	0	Garage Type	Detached Garage



MISC IMPROVEMENTS

Occupancy tax collection and remittance by Airbnb in Oklahoma

State of Oklahoma

Guests who book Airbnb listings that are located in the State of Oklahoma will pay the following taxes as part of their reservation:

- Oklahoma Sales Tax: 4.5% of the listing price including any cleaning fees. For detailed information, visit the [Oklahoma Tax Commission](#) website.
- Local Sales and Use Tax: The local sales and use tax rates vary by city and county. The rate is typically 1.0%-5.5% of the listing price including any cleaning fees. For detailed information, visit the [Oklahoma Tax Commission](#) website.
- State-Administered Local Lodging Tax: The local lodging tax rates vary by city and county. The rate is typically 5% of the listing price including any cleaning fees. For detailed information, visit the [Oklahoma Tax Commission](#) website.

DS 1/24/25
135 Orchard

'25FEB24PM12:59

Teresa Kadavy

From: Kay Gamble <kaygamble@gmail.com>
Sent: Monday, February 24, 2025 11:19 AM
To: Teresa Kadavy
Cc: Rhonda
Subject: Objection to Small Lot Single-Family Residential (RSS) Westwood Overlay zoning district #STR-0199.
Jeff Black

CITY CLERKS OFFICE

This email originated from an **External Source**. Please use proper judgement and **Caution** when opening attachments, clicking links, or responding to this email.

In reference to: Small Lot Single-Family Residential (RSS) Westwood Overlay zoning district. Jeff Black, Black Properties. 135 S. Orchard St. Application #STR-0199

Our family has lived in the Westwood neighborhood since 1968 when our parents purchased our home at 1712 University Ave. The changes to the neighborhood over the 57 years of residency have been profound. In 1968 and decades after, this neighborhood was filled with families raising children many attending Westwood Elementary, and grandparents welcoming loved ones for the holidays and summer visits. Westwood was home to professionals, OSU faculty, public school educators and more.

We have always had residents who owned their homes and those who rented, but as the homes and rentals closer to the university were swallowed up to build dorm apartments, property companies easily outbidding individual buyers, bought up homes, and remodeled them to cater to multiple student renters for increase profits on their investment. The Westwood overlay was put in place by concerned residents to curtail the number of unrelated renters per home to preserve the residential nature of the neighborhood and reduce the number of vehicles in this older neighborhood of narrow, sometimes curvy, streets.

The increased number of occupants per house, each with their own vehicle, makes for congested and unsafe roadways. Please understand we are not against students or renters. Most sign yearly lease agreements and many stay in place for the duration of their tenure at OSU and make good neighbors.

Many full time residents of Westwood are renters. Some renters live here for their children to experience childhood in a residential neighborhood setting with an excellent local elementary school. Unending waves of short term renters will not enhance the safety of school children.

If Jeff Black of Black Properties is allowed to run a commercial short term rental property at 135 S Orchard St, it will quickly erode and change this unique residential neighborhood as unlimited short term renters come and go with little regard to the established neighborhood policies. It will open the floodgates to more short term rental applications, all completely counter to the Westwood Overlay which seeks to protect and preserve our residential community.

Please deny this application.

Sincerely,

Kay Gamble
Rhonda Gamble

Date of Meeting: March 25, 2025

Subject: Text Amendment to Chapter 23, Land Development Code, Article III, Land Development Process, Section 23-63, Plat/Subdivision Approval Process

Purpose of Report: City staff requests review and approval of a text amendment to update City Code Chapter 23, "Land Development Code," Article III, "Land Development Process", Section 23-63, "Plat/Subdivision Approval Process"

Background: Subsection (g) of Section 23-63 currently allows final plats to be filed with the Land Records Division of the County Clerk's Office before the infrastructure required for the subdivision has been built or accepted by the City Council. This is problematic for the following reasons:

- After the City accepts the dedication of public ways shown on any plat, the City becomes the owner of those public ways. It is not in the best interest of the City or its residents to accept public ways when the planned infrastructure within those public ways has not been constructed and accepted by the City Council.
- The lots can be conveyed to third parties.

Application Processing Information:

Applicant – City of Stillwater

Notice – Newspaper of general circulation

Processing Track:

Planning Commission – February 25, 2025

City Council – April 21, 2025

Discussion: The City Code already states that before a commercial subdivision plat can be filed with the County, the required improvements must be constructed and accepted by the City Council or a development agreement for the improvements must be executed. The proposed text amendment will require improvements to be constructed and accepted or a development agreement for the improvements be executed before any plat can be filed with the County.

Alternatives:

1. Recommend the City Council approve the proposed Text Amendment as presented.
2. Find that additional information or discussion is needed prior to making a recommendation and table the request to a future Planning Commission meeting.
3. Find that the Text Amendment is not needed and do not recommend that the City Council approve the request.

Staff Recommendation: Staff recommends Alternative 1.

Prepared by: David Barth, Development Services Director
Reviewed by: Cindy Gibson, Administrative Services
Date of Preparation: March 20, 2025
Attachments: Draft Ordinance

ORDINANCE NO. ____

“AN ORDINANCE AMENDING STILLWATER CITY CODE BY AMENDING CHAPTER 23, LAND DEVELOPMENT CODE, ARTICLE III, LAND DEVELOPMENT PROCESS, SECTION 23-63, PLAT/SUBDIVISION APPROVAL PROCESS; REPEALING ALL ORDINANCES TO THE CONTRARY; AND PROVIDING FOR SEVERABILITY”

(AMENDMENTS HIGHLIGHTED BY STRIKETHROUGH AND UNDERLINING)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STILLWATER, OKLAHOMA:

SECTION 1: That Stillwater City Code, Chapter 23, Land Development Code, Article III, Land Development Process, Section 23-63, Plat/subdivision approval process, be amended to read as follows:

Sec. 23-63. Plat/subdivision approval process.

- (a) *To be placed on planning commission agenda.* Each plat submitted for preliminary or final approval shall be placed on the agenda of the planning commission only after fulfilling the specific requirements of these regulations. However, a plat not meeting all of the requirements may be submitted provided the subdivider presents with the plat a written request for specific exceptions and enumerates in detail the reasons therefor.
- (b) *Review.* Upon compliance with all application requirements, all plat/subdivision requests shall be reviewed by city staff.
- (c) *Lot splits.* Prior to approval of any lot split, there shall be filed an application requesting a lot split. The applicant shall submit at the time of application a survey of the intended division and inclusive of all affected properties. Lot splits will be approved administratively upon compliance with adopted regulations. Once compliance is verified, deeds in executable form shall be submitted to city staff and shall be stamped and signed by city staff that the deeds are approved and ready for recording. If a lot split creates a tract of land that does not comply with the specific zoning district requirements, then a lot combination must occur concurrently with the lot split unless the noncompliant tract meets the definition of an outlot and is so designated. Any lot combination resulting from the lot split application shall be included in the application for the lot split and shall show the existing and proposed property lines, existing structures, improvements, utilities and appurtenances, as identified thereto, and shall be indicated on the lot split drawing prepared by a licensed land surveyor used to illustrate and explain the proposed lot combination. Prior to the issuance of a building permit, when a lot combination has not been required for review and approval, a copy of a recorded deed indicating the combination of the lots shall be submitted as part of the building permit application, as applicable.
- (d) *Minor subdivisions.* Upon compliance with all application requirements, minor subdivisions will be reviewed for compliance with the adopted regulations. Once compliance is verified, deeds in executable form shall be submitted to city staff and shall be stamped and signed by city staff that the deeds are approved and ready for recording. Where the property to be subdivided or any portion thereof is part of a minor subdivision approved within the year

preceding the date of application, a preliminary and final plat of said property shall be prepared and submitted to the planning commission and city council in accordance with the requirements herein.

- (e) *Commercial minor subdivisions.* Upon compliance with all application requirements, commercial minor subdivisions will be reviewed, in conjunction with development plan applications or with final planned development plan applications, for compliance with the adopted regulations. Once compliance is verified, deeds in executable form shall be submitted to city staff and shall be stamped and signed by city staff that the deeds are approved and ready for recording.
- (f) *Preliminary plats.*
 - (1) *Notice.* Notice shall be provided by regular mail to the owners of property within 300 feet of the proposed subdivision prior to the planning commission meeting at which the proposal may be heard. In addition to a property owner letter, notice shall include a copy of the proposed subdivision and a map of its location.
 - (2) *Approval.* The planning commission shall approve, approve conditionally, or disapprove the preliminary plat within 60 days of the date of its first review by the planning commission.
 - a. Unless stipulation for additional time is agreed to by the subdivider and if no action is taken by the planning commission at the end of 60 days after the first review, the preliminary plat shall be deemed to have been approved.
 - b. If the preliminary plat is disapproved or approved conditionally, the reasons for such action shall be stated in writing, a copy of which shall be signed by the planning commission chair, secretary, or designee and shall be transmitted to the subdivider/owner and the applicant/representative.
 - c. The reasons for disapproval or conditional approval shall refer specifically to those parts of the comprehensive plan or city regulations with which the plat does not conform.
 - d. On conditionally approving a plat, the planning commission shall require submission of a revised preliminary plat prior to planning commission review of any final plats based upon the preliminary plat.
 - e. The subdivider shall file three paper copies and one reproducible copy of the approved preliminary plat with the development services department.
 - f. Upon filing of the approved preliminary plat, improvement plans may be submitted for review in accordance with the approved preliminary plat.
 - (3) *After approval.* Once the preliminary plat is approved, the subdivider may proceed with the construction of the subdivision improvements, provided that the improvement plans have been prepared in accordance with this chapter, with the approved plat, and have been approved for construction by the development engineering manager. The subdivider may proceed with the preparation and submittal to the city of a final plat. Preliminary plats shall expire two years from the date of approval unless a final plat of any portion is filed, based upon the preliminary plat.
- (g) *Final plats.*
 - (1) *Two years from preliminary plat approval.* The final plat of any portion of the proposed subdivision shall be submitted to the planning commission and city

council for final approval within two years of the date on which the preliminary plat was approved. If not submitted for final approval within such time, the preliminary plat shall be considered as having been disapproved unless the planning commission agrees to an extension of time prior to the expiration date, as requested by the subdivider. The developer shall file the final plat in the office of the county clerk within two years after approval by the city council, or, if not filed within such time, said approval of the final plat shall be considered as having been voided, unless extended by the planning commission and city council upon request by the subdivider prior to the expiration date.

- (2) *Approval.* The planning commission shall act upon the final plat within 45 days of the date of its first review by the planning commission. Unless a stipulation for additional time is agreed to by the subdivider and if no action is taken by the planning commission at the end of 45 days after the first review, the final plat shall be deemed to have been approved. This approval and date thereof shall be shown on the plat over the signature of the planning commission chair. A certificate by the development services director as to the date of submission of plat for final approval and failure of planning commission to act thereon within such time shall be sufficient in lieu of written endorsement of approval.
- (3) *Disapproval.* If the final plat is disapproved, grounds for this refusal shall be stated in writing, a copy of which shall be transmitted with the Mylar and prints to the applicant. The reasons for disapproval shall refer specifically to those parts of the comprehensive plan or ordinance with which the plat does not comply.
- (4) *Accepted by development engineering manager prior to city council consideration.* Prior to consideration of a final plat by the city council, improvement plans, a drainage study, and a drainage plan shall be accepted by the development engineering manager. The final plat shall be submitted to the city council for acceptance of the public ways and service and utility easements and land dedicated to public use. This acceptance of the plat shall be shown over the signature of the mayor and attested to by the director of finance or deputy. The lack of acceptance of any plat or plan by the city council shall be deemed a refusal of the proposed dedication shown thereon. Once accepted by the city council, the plat shall be recorded in the county courthouse.
- (5) *Requirements for ~~commercial~~-subdivision prior to filing with county clerk.* No final plat of any ~~commercial~~-subdivision shall be filed of record in the office of the county clerk unless:
 - a. The improvements have been constructed in accordance with the provisions of this article and have been accepted by the city council; or
 - b. The subdivider/developer has entered into a development agreement with the city to construct all improvements and the subdivider/developer has filed with the city a performance guarantee in accordance with the provisions of this chapter.

~~(6) Residential subdivisions may be filed prior to acceptance by city council. Final plats of residential one and two family subdivisions may be filed prior to the acceptance by the city council of the required improvements. No building permits will be issued until the required improvements are scheduled for acceptance by the city council, with the exception of developer sidewalks and/or traffic control devices.~~

Upon filing with the county clerk, the developer shall provide three paper copies and one Mylar copy of the filed plat to the city.

State law reference—Plat approval, 11 O.S. § 45-104.

- (h) *Correction of errors in plats.* Municipal plats or plats of additions and subdivisions which have been erroneously described on any record in the chain of title to said plats, or are otherwise defective on their face, may be corrected pursuant to the provisions of 11 O.S. §§ 41-112—41-114.

State law reference—Correction of errors and defects, 11 O.S. § 41-115.

- (1) *Application.* Requests for correction of errors in plats shall be initiated by submitting the following documentation to the development services department:
- a. Completed application and checklist on the appropriate form furnished by the development services department;
 - b. Typewritten and electronic/digital copy of the legal description of the subject;
 - c. Copy of existing or proposed restrictive covenants on the subject property; and
 - d. Filing fee, as required by the appropriate provisions of this chapter related to the individual types of applications;
 - e. The registered land surveyor who prepared said plat may execute a certificate stating the nature of the error and cure said defect. The surveyor shall refer to said plat by correct page number and book in which said plat is recorded by the county clerk. Said certificate shall be dated and signed by said registered land surveyor;

State law reference—Similar provision, 11 O.S. § 41-115 B.

- f. If the registered land surveyor who originally certified said plat is not available, or if said plat was not prepared by a registered land surveyor, a certificate stating the nature of the error and cure said defect may be executed by any registered land surveyor, provided said certificate states the reasons why the registered land surveyor who prepared the plat was not available or that said plat was not originally prepared by a registered land surveyor.

State law reference—Similar provision, 11 O.S. § 41-115 C.

- (2) *Approval.* The certificate shall be approved by the planning commission. If the correction alters or otherwise affects a right-of-way or easement of the city, such certificate shall also be approved by the city council.

State law reference—Similar provision, 11 O.S. § 41-115 D.

- (i) *Filing with county clerk.* Once approved by the city, the certificate shall be retained by the county clerk of the county in which said plat is located and shall be recorded as a correction in the county plat book. A certificate filed pursuant to the provisions herein shall be prima facie evidence of the statements contained in said certificate and shall be received into evidence for that purpose. No such certificate shall have the effect of destroying or changing any vested rights which were acquired based upon an existing plat despite the errors or defects contained in said plat. The provisions of this section shall not prohibit any interested party from commencing an action in district court pursuant to the provisions of 11 O.S. §§ 41-112—41-114.

SECTION 2: REPEALER. All ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 3: SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF _____, 2025.

WILLIAM H. JOYCE, MAYOR

(SEAL)
ATTEST:

TERESA KADAVY, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS ____ DAY OF _____, 2025.

KIMBERLY CARNLEY, CITY ATTORNEY

First Reading:
Second Reading:

Date of Meeting: March 25, 2025

Subject: Text Amendment to Chapter 23, Land Development Code, Article XVII, Required Improvements, Division 3, Improvements, Section 357 Water Distribution System, Subsection (e), and Section 358, Sanitary Sewer Collection System, Subsection (e)

Purpose of Report: City staff requests review and approval of a text amendment to update City Code Chapter 23, "Land Development Code," Article XVII, "Required Improvements", Division 3, "Improvements", Section 357, "Water Distribution System", Subsection (e) and Section 358, "Sanitary Sewer Collection System", Subsection (e); Chapter 41, "Utilities", Article IV, "Water Service", Division 1, Section 41-113, "Tie-On Charge", Subsection (b) and Division 5, "Service Extensions", Section 41-244, "Lease-Purchase Agreement"; Chapter 41, "Utilities", Article V, "Sewers and Sewage Disposal", Division 11, "Sewer Main Extensions", Section 41-590, "Payment of Costs" and Section 41-591, "Lease-Purchase Agreement"; and adding Chapter 41, "Utilities", Article IV, "Water Service", Division 5, "Service Extensions", Section 41-245, "Payment of Costs"

Background: Subsection (e) of Section 23-357 and Subsection (e) of Section 23-358 state that developers may enter into lease purchase agreements with the city when it is necessary for the developer to expend funds for water and sewer infrastructure that will serve areas other than the developer's project area. Chapter 41 of the City Code states the City "shall" enter into lease purchase agreements with developers who bear the entire cost of water or sewer infrastructure that can serve other areas. This requirement is problematic for the City for several reasons:

- 1) It is not always in the best interest of the City or public for the City to enter into a lease purchase agreement with a developer or landowner, even if the developer or landowner has built a sewer or water main that can be used by others; thus, the word "shall" is problematic.
- 2) It is not in the best interest of the City to lease water or sewer infrastructure from a developer or landowner which the City is then obligated to maintain. Best practice is for the City to own the infrastructure it is committed to maintain.
- 3) The ordinance contains no provision for the conveyance to the City of easements over the land where the infrastructure has been built so that the City will have the right to access the developer's water or sewer infrastructure.
- 4) The lease purchase provision is set up such that the City leases and maintains the infrastructure for a period of 10-20 years. At the end of the time period, the developer/landowner is then obligated to convey the infrastructure to the City. The developer/landowner (typically an LLC) may no longer be in existence.
- 5) The City is obligated to accept the infrastructure (as is) at the end of the 10-20 year period, which could be problematic.

Application Processing Information:

Applicant – City of Stillwater

Notice – Newspaper of general circulation

Processing Track:

Planning Commission – March 25, 2025

City Council – April 21, 2025

Discussion: The Planning Commission considers text amendments to Chapter 23, only. The proposed text amendments to Chapter 41 will be considered by the City Council. The proposed text amendments to Chapter 23 replace the “lease purchase agreement” with a “utility main development agreement.” The utility main development agreement provides a similar mechanism for a developer to be compensated by others connecting to a utility main provided by the developer, with the primary difference being, the City owns the infrastructure and not the developer.

Alternatives:

1. Recommend the City Council approve the proposed Text Amendment as presented.
2. Find that additional information or discussion is needed prior to making a recommendation and table the request to a future Planning Commission meeting.
3. Find that the Text Amendment is not needed and do not recommend that the City Council approve the request.

Staff Recommendation: Staff recommends Alternative 1.

Prepared by:	David Barth, Development Services Director
Reviewed by:	Cindy Gibson, Administrative Services
Date of Preparation:	March 17, 2025
Attachments:	Draft Ordinance

ORDINANCE NO. XXXXXX

AN ORDINANCE AMENDING STILLWATER CODE OF ORDINANCES CHAPTER 23, "LAND DEVELOPMENT CODE," ARTICLE XVII, "REQUIRED IMPROVEMENTS," DIVISION 3, "IMPROVEMENTS, SECTION 357, "WATER DISTRIBUTION SYSTEM," SUBSECTION (e) AND SECTION 358, "SANITARY SEWER COLLECTION SYSTEM," SUBSECTION (e); CHAPTER 41, "UTILITIES," ARTICLE IV, "WATER SERVICE," DIVISION 1, SECTION 41-113, "TIE-ON CHARGE," SUBSECTION (b) AND DIVISION 5, "SERVICE EXTENSIONS," SECTION 41-244, "LEASE-PURCHASE AGREEMENT"; CHAPTER 41, "UTILITIES," ARTICLE V, "SEWERS AND SEWAGE DISPOSAL," DIVISION 11, "SEWER MAIN EXTENSIONS," SECTION 41-590, "PAYMENT OF COSTS" AND SECTION 41-591, "LEASE-PURCHASE AGREEMENT;" AND ADDING CHAPTER 41, "UTILITIES," ARTICLE IV, "WATER SERVICE," DIVISION 5, "SERVICE EXTENSIONS," SECTION 41-245, "PAYMENT OF COSTS"; REPEALING ALL ORDINANCES TO THE CONTRARY; AND PROVIDING FOR SEVERABILITY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STILLWATER, OKLAHOMA,

SECTION 1: That the Stillwater City Code, Chapter 23, "Land Development Code," Article XVII, "Required Improvements," Division 3, "Improvements," Section 23-357(e), is amended to read as follows:

Sec. 23-357. Water distribution system.

(e) Whenever it is necessary for a developer to expend funds for the design, materials, and installation of a water distribution system that may serve areas other than its own, the developer may enter into a ~~water line lease purchase agreement~~ utility main development agreement with the city as provided for in Chapter 41.

SECTION 2: That the Stillwater City Code, Chapter 23, "Land Development Code," Article XVII, "Required Improvements," Division 3, "Improvements," Section 23-358(e), is amended to read as follows:

Sec. 23-358. Sanitary sewer collection system.

(e) Whenever it is necessary for a developer to expend funds for the design, materials, and installation ~~the construction~~ of a sewer collection system ~~main~~ that may ~~will~~ serve areas other than ~~its~~ his own, the developer may enter into a ~~water line lease purchase agreement~~ utility main development agreement with the city as provided for in Chapter 41.

SECTION 3: That the Stillwater City Code, Chapter 41, "Utilities," Article IV, "Water Service," Division 1, "Tie-on charge," Section 41-113(b), is amended to read as follows:

Sec. 41-113. Tie-on charge.

(b) Whenever a multifamily structure owner or developer installs individual three-fourths-inch meters for each dwelling unit, the tie-on charge may be computed on the basis of a single meter of sufficient size to serve the entire structure. Any developer and/or owner who has expended in excess of \$~~5100,000.00~~ toward the cost of a water main extension, ~~as provided in section 41-243~~, and has entered into a ~~lease-purchase agreement~~ utility main development agreement with the city regarding said water main, as provided ~~for in section 41-244~~ Chapter 41, shall be exempt from said tie-on charges for the first water connection which said developer and/or owner makes to said main. The above \$100,000 expenditure required for exemption shall be increased four percent annually beginning January 1, 2025, and adjusted each January 1 of every year thereafter.

SECTION 4: That the Stillwater City Code, Chapter 41, "Utilities," Article IV, "Water Service," Division 5, "Service Extensions," Section 41-244, is amended to read as follows:

Sec. 41-244. ~~Lease-Purchase~~Utility Main Development Agreement - Water.

When a developer and/or owner ~~of a tract inside the city has paid, or agrees to pay,~~ all or a portion of the cost of ~~materials of~~ a water main which is so located as to render it possible for tracts of land not owned by said developer and/or owner to be served with water through said main, ~~as provided in section 41-243(1), or when a developer and/or owner of a tract outside the city bears the entire cost of a water main, as provided in section 41-243(2), a lease-purchase-utility main development agreement shall may be entered into by and between the developer and/or owner and the city containing the following basic provisions:~~

- ~~(1) (1)~~ The developer and/or owner shall lease his interest in the main to the city for a period of ten years, during which time the city will assume responsibility for maintenance of the main as part of the water distribution system of the city; provided, however, that the lease period may be for a term of not to exceed 20 years if the developer and/or owner is a corporate entity or a trust and the water main which it has constructed extends for a distance of at least 5,280 feet. The initial term of the agreement shall not exceed ten years. Upon written request of the developer and/or owner, made within 90 days prior to the expiration of the term, the agreement may be extended for an additional period not to exceed ten years if the developer and/or owner has not received, at the expiration of the original term, contribution on a square footage basis, as hereinafter described, from the developers and/or owners of at least 50 percent of the area capable of being served by such main.
- (2) The city will not permit any person within the area capable of being served to connect any new or additional main to said main, or make a water connection thereto, without first requiring such person to pay the developer and/or owner his payment of a pro rata portion of the original investment of the developer, and/or

owner ~~and/or the city~~ in for said main, together with interest thereon from the date of ~~completion~~ acceptance of said main at a rate not to exceed seven percent per annum; such *pro rata* portion to be calculated on a square footage basis of the total area capable of being served by such main. The total area capable of being served by such main shall be agreed upon by the developer and/or owner and the city at the time of the execution of the ~~lease-purchase~~ utility main development agreement.

- (3) The developer and/or owner shall have no right or claim to any portion of the revenue received by the city for tie-on charges, service charges, any other fees or charges, or water sold and delivered through said lines; ~~The reimbursement to the developer and/or owner is specifically limited to contribution under subsection (2) of this section.~~
- ~~(4) At such time as the developer and/or owner has received contribution on a square footage basis, as described in subsection (2) of this section, from the developers and/or owners of all the area capable of being served by such main, or at the expiration of the lease period set forth in the lease-purchase agreement, the title of said water main extension shall vest in the city, and the developer and/or owner shall thereafter have no right, title, or interest therein.~~
- (4) The utility main development agreement shall become effective upon: 1) approval of the agreement by the city council; 2) acceptance by the city council of said water main and all associated equipment and appurtenances incidental thereto, in accordance with applicable ordinances and law, and 3) acceptance by the city council of all necessary deeds of dedication and/or other conveyances.

SECTION 5: That the Stillwater City Code, Chapter 41, "Utilities," Article V, "Sewers and Sewage Disposal," Division 11, "Sewer Main Extensions," Section 41-590, is amended to read as follows:

Sec. 41-590. Payment of costs.

The costs of sewer main extensions shall be borne as follows:

- (1) The developer and/or owner of a tract ~~within the corporate limits~~ shall bear the entire cost of a sewer main adequate in size, as determined by the engineering ~~division of the department, of operations,~~ in compliance with the requirements of ODEQ, to serve the tract that ~~he is being developed, developing or desires to serve,~~ provided that, in no event shall a main of less than eight inches in diameter be considered adequate. If the city ~~desires that~~ determines that it is beneficial for that the sewer main to be larger than the engineering department's determination of adequate size is necessary to serve said track, the city may, if funds are available, pay the additional cost of the main. All such sewer main extensions, upon completion, shall become the sole and exclusive property of the city and shall be operated and maintained as part of the city sanitary sewer system; ~~however,~~ if a main is so located as to render it possible for tracts of land not owned by the developer and/or owner to be served, the developer and/or owner may enter into an agreement for partial reimbursement of the costs as set forth in section 41-591.

~~through the main, the developer and/or owner shall retain title to the main to the extent of his interest therein based on his participation in the total cost thereof, and shall lease his interest to the city as provided in section 41-591. All such sewer main extensions, upon completion, shall become the sole and exclusive property of the city and shall be operated and maintained as part of the city's sanitary sewer system.~~

- (2) ~~In the event that an application for sewer main extension is granted, the developer and/or owner of a tract outside the corporate limits shall bear the entire cost of the sewer main and shall lease it to the city enter into an agreement as provided in section 41-591.~~

SECTION 6: That the Stillwater City Code, Chapter 41, "Utilities," Article V, "Sewers and Sewage Disposal," Division 11, "Sewer Main Extensions," Section 41-591, is amended to read as follows:

Sec. 41-591. Lease Purchase Utility Main Development Agreement - Sewer.

When a developer and/or owner of a tract ~~inside the corporate limits~~ has paid, or agrees to pay, all or a portion of the cost of a sewer main which is so located as to render it possible for tracts of land not owned by the developer and/or owner to be served through the main, as provided herein, ~~or when a developer and/or owner of a tract outside the corporate limits bears the entire cost of a sewer main, as provided herein, a lease purchase a utility main development agreement shall may~~ be entered into by and between the developer and/or owner and the city containing the following basic provisions:

- (1) ~~The developer and/or owner shall lease his interest in the main to the city agreement shall be for an initial for a period term of ten years, during which time the city will assume responsibility for maintenance of the main as part of the sanitary sewer system of the city; however, uUpon written request by of the developer and/or owner to the city council, made within 90 days prior to the expiration of the lease period term, the lease period shall agreement may be extended for an additional period of not to exceed ten years if the developer and/or owner has not received, at the expiration of the original lease period term, contribution on a square footage basis, as hereinafter described, from the developers and/or owners of at least 50 percent of the area capable of being served by such main; and provided further, if the developer and/or owner has received, at the expiration of the original lease period, contribution on a square footage basis, as hereinafter described, from the developers and/or owners of at least 50 percent but less than 75 percent of the area capable of being served by such main, the city council may, in its sole discretion, extend the lease period for an additional period of not to exceed ten years, upon written request by the developer and/or owner to the city council within the time set forth in this subsection.~~
- (2) The city will not permit any person within the area capable of being served to connect any new or additional main to the main, or make a sewer connection thereto, without first requiring such person to pay to the developer and/or owner

~~his payment of a *pro rata* portion of the original investment of the developer, and/or owner and/or the city in for the main, together with interest thereon from the date of completion acceptance of the main at a rate not to exceed seven percent per annum, such *pro rata* portion to be calculated on a square footage basis of the total area capable of being served by such main. The total area capable of being served by such main shall be agreed upon by the developer and/or owner and the city at the time of the execution of the lease-purchase-utility main development agreement.~~

- (3) The developer and/or owner shall have no right or claim to any portion of the revenue received by the city for tie-on charges, or service charges, or any other fees or charges; the reimbursement to the developer and/or owner is specifically limited to contribution under subsection (2) of this section.
- ~~(4) At such time as the developer and/or owner has received contribution on a square footage basis, as described in subsections (1) through (3) of this section, from the developers and/or owner of all the area capable of being served by such main, or at the expiration of the lease period set forth in the lease-purchase-utility main development agreement or an extension thereof, as above provided, the title to the sewer main shall vest in the city; and the developer and/or owner shall thereafter have no right, title or interest therein.~~
- (4) The utility main development agreement shall become effective upon: 1) approval of the agreement by the city council; 2) acceptance by the city council of said sewer main and all associated equipment and appurtenances incidental thereto, in accordance with applicable ordinances and law, and 3) acceptance by the city council of all necessary deeds of dedication and/or other conveyances.

SECTION 7: That the Stillwater City Code is amended to add Chapter 41, “Utilities,” Article IV, “Water Service,” Division 5, “Service Extensions,” Section 41-245, “Payment of Costs,” to read as follows:

Sec. 41-245. Payment of costs.

The costs of water main extensions shall be borne as follows:

- (1) The developer and/or owner of a tract shall bear the entire cost of a water main adequate in size, as determined by the engineering department, in compliance with the requirements of ODEQ, to serve the tract that is being developed, provided that in no event shall a main of less than six inches in diameter be considered adequate. If the city determines that it is beneficial for the water main to be larger than the engineering department’s determination of adequate size, the city may, if funds are available, pay the additional cost of the main. All such water main extensions, upon completion, shall become the sole and exclusive property of the city and shall be operated and maintained as part of the city water system.
- (2) If a main is so located as to render it possible for tracts of land not owned by the developer and/or owner to be served, the developer and/or owner may enter into an agreement for partial reimbursement of the costs as set forth in section 41-244. All such water main extensions, upon completion, shall become the sole and

exclusive property of the city and shall be operated and maintained as part of the city's water system

SECTION 8: REPEALER. All ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 9: SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

PASSED, APPROVED AND ADOPTED AND THE EMERGENCY CLAUSE
BEING VOTED ON SEPARATELY, THIS _____ DAY OF _____, 2025.

WILLIAM H. JOYCE, MAYOR

(SEAL)
ATTEST:

TERESA KADAVY, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS _____ DAY OF _____, 2025.

KIMBERLY CARNLEY, CITY ATTORNEY

Draft until approved at the next regular meeting:
STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF February 25, 2025
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED February 21, 2025, IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET

MEMBERS PRESENT

Jana Phillips, Chair
Riley Williams, Vice Chair
Mark Prather, Member
Mike Shanahan, Member
David Peters, Member

STAFF PRESENT

Kim Payne, City Attorney
David Barth, Development Services Director
Joshua Brown, Project Manager
Cindy Gibson, Administrative Services
Alexandria Maged, Administrative Assistant

MEMBERS ABSENT

Staff Absent

1. CALL MEETING TO ORDER.

2. GENERAL ORDERS:

- a. Request review and approval of a final plat, **SUB24-12**, from KMR Development, LLC for Park View Estates, Section 10, Phase 1 creating 12 residential lots in the Small Lot Single-Family Residential (RSS) district in the area of property addressed as 4800 N. Rogers Drive.

Joshua Brown, Development Services presents staff's report and asks if there are any questions.

Commissioner Shanahan asks if the drainage issues were addressed by staff. Mr. Brown responds that staff has had to receive and accept a final drainage report for the final plat to be able to be presented.

Chair Phillips asks if there are any further questions; none respond. Chair Phillips asks for findings and alternatives.

Josh presents findings and alternatives, which are:

Findings:

1. The preliminary plat expiration date is January 7, 2026
2. The C3 Plan recommends low density uses at this location.

Alternatives:

1. Accept findings and approve the final plat as presented.
2. Approve the final plat with conditions, noting what conditions should be met for the approval.
3. Reject findings and deny the final plat as presented.

Vice-Chair Prather moved to accept findings and approve the final plat as presented, Commissioner Peters seconds.

Roll Call:	Phillips	Williams	Prather	Shanahan	Peters
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	Yes	Yes	Yes	Yes	Yes
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Time: 5 minutes

3. PUBLIC HEARING

- a. Receive public comment regarding an application for a **SHORT TERM RENTAL (STR-0194)** from Stacy Baker and Dublin Rentals for a property addressed as 5313 W. Country Club Drive, in the Large Lot Single-Family Residential (RSL) district.

Joshua Brown, Development Services presents staff's report and asks if there are any questions for staff; none respond.

Chair Phillips asks for the applicant to come forward to speak.

Mr. Garrett Baker, 801 Oakridge Drive, comes to speak on the following:

- Lives about 10 houses away from the subject property
- Stillwater native and went to high school here
- Unique about this is that he lives close
- The property was in complete disarray
- Saw an opportunity to improve the neighborhood
- Mainly provide for friends and family but also saw an opportunity to create additional income
- Presented pictures to the Planning Commission of the property showing the before and after improvements
- This isn't the first Air BnB in this neighborhood
- Neighbors have his phone number
- Has three children so is keenly aware of the issues in the area
- Safety is of utmost concern
- Regarding trash cans, if happen to leave them out please let him know
- If the house is causing a problem, he wants to know
- Will make every effort to make it right

Chair Phillips asks if the Planning Commission has any questions.

Commissioner Williams asks what is their operating policy. Mr. Baker responds they are new to the Air BnB market; two-night minimum stay; and wife does cleaning but does have staff for that if she isn't available.

Commissioner Williams asks if there is anything in their policy about parties, renting to locals. Mr. Baker responds that he didn't think about parties but open to adding it to their policy.

Further discussion is held about there being a limit of twelve (12) guests; does have enough parking; very big driveway and there is a third section on the side which will minimize on-street parking; Planning Commissioners asks if applicant would be comfortable adding a "No On-Street Parking" clause to their policy if you can get six (6) vehicles in the driveway and applicant agreed; occupancy is very low as it was intended to use for family and close friends; and only seeing about 10% occupancy per month by design; discusses the logic behind asking about local rentals tends to be because locals will host parties; establishing quite hours and renter(s) being of a minimum age.

Mr. Baker responds that he is invested in this community and neighborhood, property values and safety.

Chair Phillips opens the public hearing and asks if there is anyone that wishes to speak in favor of this item; none respond. Chair Phillips asks if there is anyone that wishes to speak in opposition of this item.

The following come to speak in opposition:

- Ms. Lorna Stein, 1215 S. Westwood Lane
- Tina Fugate and Kent Dieball, 5302 W. County Club

The following comments are shared:

- Has lived here since 1986
- Area full of children and women with baby carriages
- Street has slight incline/decline which adds speed without you knowing
- Knows of a death on the corner
- Children drive around this area in golf carts
- No sidewalks
- Ask the Planning Commission to consider these issues
- The Westwood and County Club intersection has times of temporary blindness due to the sun
- Temporary rental occupants would not be aware of this causing potential for further accidents and potential deaths
- Childrens' bus stop
- Property was in a disarray as owner passed away
- No one approached them about introducing himself
- Rented it out after the remodel and still rented after he applied for the STR application
- Air BnB shows it with bunk beds and pool table in the living room
- Concern about children in the street and not being safe for them
- Dealt with previous situation where house was vacated due to death; people were urinating in the yard; burning rubber at 9:30 pm
- Bad streets and unfamiliar drivers

Mr. Baker returns to address concerns:

- The neighbors have his phone number
- If the house is causing problems, he wants to know
- Doesn't see the issue with the traffic issues
- Will make an effort to make it right

Chair Phillips closes the public hearing and asks for alternatives.

Commissioner Peters asks when an application is approved if it is good for a year; Mrs. Payne responds yes but it would not come back to the Planning Commission.

Vice-Chair Prather acknowledges and hears the information from the neighbors, these aren't unique to the to anyone in this area; hearing that the house should have been bulldozed but the property owner has rights; and there is a complaint process that would address issues before it is renewed.

Commissioner Williams reiterates previous comments stated; hears the concerns from the objections; and to him this doesn't seem far outside the norm.

Commissioner Williams moved to approve the short-term rental application as presented; Vice-Chair Prather seconded.

Roll Call:	Phillips	Williams	Prather	Shanahan	Peters
	Yes	Yes	Yes	Yes	Yes

Time: 31 minutes

- b. Receive public comment regarding a request from Lambert Properties, LLC and CSCM Properties, LLC for a **Map Amendment (MA25-01)** to rezone from Two-Family & Multi-Family (RTM) and Two-Family Residential (RT) to all Two-Family & Multi-Family (RTM) district for the properties addressed as 814, 816, 818 and 820 N. Lincoln Str., 822 and 824 N. Lincoln Str., and 1102, 1104, 1106, 1108 and 1110 W. Tyler Avenue.

Joshua Brown, Project Manager presents staff report and asks if there are any questions; none respond.

Chair Phillips asks the applicant or representative to speak.

Mr. Aaron Ferguson, Bancroft Design, 923 S. Lowry comes to speak on the following:

- Here on behalf of the applicant
- They are requesting to rezone all properties to RTM.
- Applicants don't have specific plans but does want to rezone.

Mr. Ferguson asks if there are any questions; none respond.

Chair Phillips opens the public hearing and asks if there is anyone that wishes to speak in favor of this item; none respond. Chair Phillips asks if there is anyone that wishes to speak in opposition of this item; none respond. Chair Phillips closes the public hearing and ask for staff's findings and alternatives.

Joshua presents findings and alternatives, which are:

Findings:

1. The Land Development Code allows for rezoning of land via Map Amendments.
2. RTM zoning is located in the vicinity.
3. The Comprehensive Plan calls for low density residential uses in this area.

Alternatives:

1. Accept findings and recommend that the City Council approve the proposed map amendment as presented.
2. Find that the map amendment is not an appropriate use for the property based upon the impacts to the surrounding vicinity and recommend the City Council disapprove the map amendment.
3. Find that additional information or discussion is needed prior to making a recommendation and table the request to a certain date.

Joshua asks if there are any questions of staff; none respond.

Chair Phillips asks for discussion; none respond.

Vice-Chair Prather moved to accept findings and recommend that the City Council approve the proposed map amendment as presented, Commissioner Shanahan seconded.

Roll Call:	Phillips	Williams	Prather	Shanahan	Peters
	Yes	Yes	Yes	Yes	Yes

Time: 6 minutes

- c. Receive public comment regarding a Text Amendment to Stillwater City Code Chapter 23, Land Development Code, Article XVI, Subdivision Preparation and Requirements, Division 2, Major Subdivisions, Section 23-327, Contents of the Final Plat, repealing all ordinances to the contrary; and providing for severability and declaring an emergency.

David Barth, Dev. Services Director, presents staff's report and explains the purpose of the requested text amendment being to allow the Development Services Director to grant approval to nonconsecutive numbering of lots on final plats for large, complicated developments while still adhering to a preference that all lots be routine platted subdivisions.

Chair Phillips asks if there are any questions for staff; none respond. Chair Phillips opens the public hearing and asks if there is anyone that wishes to speak in favor of this text amendment; none respond. Chair Phillips asks if there is anyone that wishes to speak in opposition of this item; none respond. Chair Phillips closes the public hearing and ask for staff's findings and alternatives.

Mr. Barth presents findings and alternatives, which are:

Findings:

4. A text amendment to the Land Development Code is needed to allow flexibility in numbering lots within a final plat.

Alternatives:

4. Accept findings and recommend that the City Council approve the proposed Text Amendment as presented.
5. Find that additional information or discussion is needed prior to making a recommendation and table the request to a future Planning Commission meeting.
6. Find that the Text Amendment is not needed and do not recommend that the City Council approve the request.

Mr. Barth states that staff recommends alternative 1 to accept findings and recommend that the City Council approve the proposed Text Amendment as presented.

Chair Phillips asks if there are any more questions; none respond.

Commissioner Williams moves to accept findings and recommend that the City Council approve the proposed Text Amendment as presented, Commissioner Shanahan seconds.

Roll Call:	Phillips	Williams	Prather	Shanahan	Peters
	Yes	Yes	Yes	Yes	Yes

Time: 10 minutes

4. MEETING SUMMARIES FOR REVIEW AND POSSIBLE ACTION:

- a. Regular meeting of December 17, 2024.

Chair Phillips asks if there are any changes, editions or corrections; none respond.

Commissioner Peters moved to accept the December 17, 2024 minutes; Commissioner Williams seconds.

Roll Call:	Phillips	Williams	Prather	Shanahan	Peters
	Yes	Yes	Yes	Yes	Yes

Time: 3 minutes

5. MISCELLANEOUS

- a. Next Regular meeting is March 4, 2025

6. ADJOURNMENT

This regular meeting of the Stillwater Planning Commission was called for adjournment by Vice Chair Williams, seconded by Commissioner Peters at approximately 6:13 PM on February 25th, 2025, the next regularly scheduled meeting will be held Tuesday, March 4, 2025, at 5:30 p.m. in the City Commission Hearing Room, Municipal Building, 723 South Lewis Street.

Prepared by – Cindy Gibson, Administrative Manager

Approved by - _____
Stillwater Planning Commission