

11-2-2: AUTHORIZING USES PERMITTED ON REVIEW:

The uses listed under the various districts herein as "uses permitted on review" are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the district; however, the nature of such uses may make it desirable that they be permitted to locate therein. The following procedure is established to integrate properly the uses permitted on review with the other land uses located in the district. These uses shall be reviewed and authorized or rejected under the following procedures: (1991 Code § 25-32)

A. **Application To Board:** An application shall be filed with the city planning and zoning board for review. Such application shall show the location and intended use of the site, the names of all the property owners and existing land uses within three hundred feet (300'), and any other material pertinent to the request which the planning and zoning board may require. (1991 Code § 25-32; amd. 2007 Code)

B. **Public Hearing:** The city planning and zoning board shall hold one or more public hearings thereon.

C. **Recommendations To Council:** The planning and zoning board shall, within forty five (45) days of the date of application, transmit to the city council its report as to the effect of such proposed building or use upon the character of the neighborhood, traffic conditions, public utilities and other matters pertaining to the general welfare, and the recommendation of the planning and zoning board concerning the use thereon. Thereupon, the city council may authorize or deny the issuance of a building permit for the use of land or buildings as requested. (1991 Code § 25-32)

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING BOARD
OF THE CITY OF CLINTON, CLINTON, OKLAHOMA
TUESDAY, MAY 11, 2021**

A regular meeting of the Planning and Zoning Board of the City of Clinton, Oklahoma, was held on Tuesday, May 11, 2021, at 9:00 a.m. in the City of Clinton Council Room, City Hall. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on Friday, May 6, 2021.

Members present were Julie Strong, Matt Graybill, and Jason Smith. Members absent were Michael Heerwald and Aaron Hemingway. Others present were Toby Anders, Amy Jones, and Robert Johnston and others.

Julie Strong, Chairman called the meeting to order at 9:05 a.m.

The minutes from the December 8, 2020 meeting was presented for approval. The motion was made by member Matt Graybill and seconded by member Smith to approve the minutes as presented. The Chairman put the motion to vote and the motion carried to approved the minutes.

CONSIDER THE REQUEST OF ANTONIO CARLOS MARTINEZ, 301 COMMERCE ROAD, TO AMEND PRESENT ZONING ORDINANCE TO ALLOW MEDICAL MARIJUANA TO BE GROWN AS A USE PERMITTED ON REVIEW IN A AREA PRESENTLY ZONED I-2 OF CLINTON, CUSTER, COUNTY OKLAHOMA.

Discussion was held regarding the location of the property and the request. City Clerk, Amy Jones stated that notices were sent to adjacent property owners within 300 feet and only one inquiry was made and Mr. Jones is present in the audience today. There were questions directed to Mr. Martinez regarding the property being used as a "growing" facility. He stated that the product would not be sold on site and his property would be leased. He stated that it is a fenced property and traffic would increase to the employees of the facility. Brief discussion as to what recommendation should be made to the City Council regarding updating our medical marijuana ordinance to permit some related businesses in industrial zoned areas.

The motion was made by Jason Smith and seconded by Matt Graybill to disapprove the request to amend the present zoning ordinance to allow medical marijuana to be grown as a use permitted on review in an area presently zoned I-2 of the property at 301 Commerce Road, Clinton, Custer County, OK and forward the application to the City Council.

Chairman Strong put the motion to roll call vote:

Aye: Graybill, Strong, Smith

Nay: none

Chairman Strong declared motion carried.

ADJOURN

Motion was made by Matt Graybill and seconded by Jason Smith to adjourn the meeting.

Chairman Strong put the motion to a roll call vote:

Aye: Graybill, Smith, Strong

Nay: None

Chairman declared the meeting adjourned at 9:10 a.m.

Approved Date

Julie Strong, Chairman

PUBLIC NOTICE OF MEETING
NOTICE OF A REGULAR MEETING OF CLINTON PLANNING AND ZONING BOARD
CITY OF CLINTON, OKLAHOMA
MAY 11, 2021 – 9:00 A.M.
CLINTON CITY HALL

Notice is hereby given that the Clinton Planning and Zoning Board of the City of Clinton, Oklahoma, will convene in a regular meeting in the Council Room of the Clinton City Hall, 415 Gary Boulevard on Tuesday, May 11, 2020 at 9:00 a.m. at which time this board will consider the request of Antonio Carlos Martinez, Clinton, Custer County, Oklahoma to amend the present zoning ordinance to allow Medical Marijuana to be grown As a Use Permitted on Review in an area presently zoned I-2 at 301 Commerce Road, Clinton, OK 73601

Any member of the public may attend this meeting and be heard on the matter.

DATE: May 11, 2021

CITY OF CLINTON, OKLAHOMA

BY: *Amy E. Jones*
Amy E. Jones, City Clerk

Posted on the bulletin board in the lobby of the Clinton City Hall

on *April 13*, 2020.

BY: *Amy E. Jones*
Amy E. Jones, City Clerk

I certified that the above notice was mailed to the list of names supplied by the applicant and attached to this document.

BY: *Amy E. Jones*
Amy E. Jones, City Clerk

APPLICATION FOR USE PERMITTED ON REVIEW

1. Name of Applicant(s): Premier Forestry Group / Antonio Carlos Martinez
2. Address of Applicant(s): 73601
3. Phone number of Applicant: _____
4. Owner's Name and Address if other than Applicant: Request amendment to Allow Growing in I zoned district
5. Legal Description of Property (include street address): 301 E. Commerce
Clark OK 73601
6. Present Zoning: zoned Industrial I-2
7. Intent Use: Growing Marijuana in City Limits
8. Applicant must supply a certified list of all owners of property within a radius of 200 feet of the exterior boundary of subject property as per section 25.32 of the Clinton City Code.
9. The clerk shall set a date for a hearing before the Planning and Zoning Board and shall mail notices of same to all those names in Item 8 at least twenty (20) days in advance of such hearing.
10. The Planning & Zoning Board shall, within forty-five (45) days of the date of application, transmit to the City Council its report as to the effect of such proposed building or use upon the character of the neighborhood traffic conditions, public utilities and other matter pertaining to the general welfare, and the recommendation of the Planning & Zoning Board concerning the use thereon. Thereupon, the City Council may authorize or deny the issuance of a building permit for the use of land or buildings as requested.
11. Filing Fees of \$125.00 to be paid by the Applicant at time of request.

Dated: 4/1/21

Applicant's Signature: Antonio Carlos Martinez

Received by City Clerk: Amy E. Jones

Date scheduled for meeting of Planning and Zoning: May 11, 2021 9:00am