

1. Agenda

Documents:

[2022-12-06 PLANNING COMMISSION - PUBLIC AGENDA-1767.PDF](#)

2. Meeting Materials

Documents:

[2022-12-06 PLANNING COMMISSION - FULL AGENDA-1767.PDF](#)

AGENDA

Regular Meeting of the
Nichols Hills Planning Commission
Tuesday, December 6, 2022 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

If special assistance is needed for this meeting by any person wishing to attend, please contact the City Clerk's office no later than 48 hours prior to the meeting, and such assistance will be provided.

Official action may be taken by the Planning Commission only on items that appear on this Agenda. The Planning Commission may dispose of the business set out on this Agenda by accepting, approving, adopting, rejecting, amending, or postponing action as to each item, as determined by the Planning Commission.

1. Call to Order
2. Roll Call
3. Citizens Desiring to be Heard
The purpose of this time is to allow members of the public to speak to the Planning Commission on any matter that is not otherwise set for consideration on this Agenda.
4. Minutes
 - a. November 1, 2022 Minutes
5. Public Hearings

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. PUBLIC HEARING: The issuance of a special permit to Crown Castle USA, Inc., represented by Donna Davis, for the purpose of replacing and/or adding new antennas and other equipment on existing monopole tower located in the 6706 North Pennsylvania Avenue, Nichols Hills, Oklahoma.

- b. PUBLIC HEARING: An Ordinance amending Chapter 50 and Chapter 44 of the Nichols Hills City Code regarding electric vehicle charging stations and electric vehicle parking spaces; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.
- c. PUBLIC HEARING: An Ordinance amending Section 8-28 of the Nichols Hills City Code regarding the City's adoption of the International Residential Code; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring and emergency
- d. PUBLIC HEARING: An Ordinance deleting Section 50-133 of the Nichols Hills City Code and replacing it with a new division of the code regarding landscaping; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring and emergency
- e. PUBLIC HEARING: An Ordinance amending Article V of Chapter 50 of the Nichols Hills City Code regarding the Building Commission review process; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring and emergency

6. Adjournment

I certify that the forgoing was filed in the Office of the City Clerk at 9:56 AM on the 30th day of November, 2022 and posted in prominent view on the window at City Hall, 6407 Avondale Drive, at 10:15 AM on the 30th day of November, 2022; posted to the City of Nichols Hills website at <http://www.nicholshills.net> at 5:00 PM on the 30th of November, 2022; and transmitted by email at 5:00 PM on the 30th day of November, 2022 to those persons who have requested to be included on such notices pursuant to the Open Meeting Act and to those who have requested such notice.



City Clerk
City of Nichols Hills, Oklahoma

AGENDA

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Nichols Hills Planning Commission
Tuesday, December 6, 2022 at 5:30 PM
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Nichols Hills, OK 73116

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City Clerk
City of Nichols Hills, Oklahoma

MINUTES

Regular Meeting of the
Nichols Hills Planning Commission
Tuesday, November 1, 2022 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the City Clerk at 9:09 AM on
the 28th day of October, 2022.**

1. Call to Order
2. Roll Call

Attendee Name	Title	Status	Arrived
Ron Byrne		Absent	
Mike Biddinger		Absent	
Doug Franklin		Present	
Tim Cheek		Present	
Barbara Gilbert		Present	
John McCaleb	Chairman	Present	

3. Citizens Desiring to be Heard

The purpose of this time is to allow members of the public to speak to the Planning Commission on any matter that is not otherwise set for consideration on this Agenda.

4. Minutes

- a. September 6, 2022 Minutes

MOTION: Gilbert moved to approve the September 6, 2022 minutes as presented. Franklin seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara Gilbert
SECONDER:	Doug Franklin
AYES:	Franklin, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Biddinger

5. Items for Separate Vote

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. Schedule of 2023 Regular Nichols Hills Planning Commission Meetings.

MOTION: Franklin moved to approve agenda item 5a as presented. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Franklin
SECONDER:	Tim Cheek
AYES:	Franklin, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Biddinger

6. Public Hearings

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. PUBLIC HEARING: An Ordinance amending the Nichols Hills Subdivision Regulations regarding submittals for deed approval applications; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency

City Manager Shane Pate presented the proposed ordinance to the Planning Commission members.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the public hearing.

No others expressing a desire to be heard, the public hearing was closed.

MOTION: Gilbert moved to recommend the City Council approve agenda item 6a as presented. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara Gilbert
SECONDER:	Tim Cheek
AYES:	Franklin, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Biddinger

7. Adjournment

MOTION: There being no further business, Franklin moved to adjourn the meeting. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Franklin
SECONDER:	Tim Cheek
AYES:	Franklin, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Biddinger

Chairman
Planning Commission
City of Nichols Hills, Oklahoma

City Manager
Planning Commission
City of Nichols Hills, Oklahoma

City Clerk
City of Nichols Hills, Oklahoma

Attachment: November 1 2022 Minutes (6176 : November 1, 2022 Minutes)



CITY OF NICHOLS HILLS, OKLAHOMA
Application for Special Permit
Communication Device

Staff use only

Case # _____

Date filed _____

Fee receipt # _____

Twelve original sets and one electronic version of this completed application (including 12 original sets of the required attachments listed below) and the required fee should be submitted to the Nichols Hills City Clerk, 6407 Avondale Drive, Nichols Hills, Oklahoma 73116.

Applicant is encouraged to consult Sec. 50-127, *Communications Tower and Antenna Regulations*, of the Nichols Hills City Code when completing this Application. Note that Sec. 50-127 does not require a special permit for all communication devices.

This Application requires recommendation for approval by the Nichols Hills Planning Commission and approval of the Nichols Hills City Council.

Attach a separate sheet to provide complete answers if necessary.

Applicant's name: Donna Davis - Agent of Crown Castle USA, Inc. Cell Tower Owner

Primary contact: Donna Davis - Site Acquisition Specialist

Mailing address: 370 Mallory Station Road, Suite 505, Franklin TN 37067

Telephone number(s): 931-247-7954 Cell / 615-771-1553 Office

Email address(es): donna.davis@crowncastle.com

This is an application to: [check all that apply]

- ☐ Construct a communication tower
- ☐ Locate an at-grade dish antenna(s) with a diameter exceeding two meters
- ☐ Locate an antenna or antenna array within a structure as an architectural element
- ☐ Install an additional antenna(s) or antenna array on an existing communications tower, sign structure, or municipal water tower
- ☒ Replace an antenna(s) or antenna array on an existing communications tower, sign structure, or municipal water tower
- ☐ Use the City's utility pole(s) (traffic signal poles, street light poles, and flag poles) associated with a distributed antenna system

Address or descriptive location of proposed device(s) ¹: 6706 North Pennsylvania Ave., Nichols Hills, OK 73159

The following must be attached to this Application:

1. **Proof of authority.** Proof of applicant's authority to make this Application as to the property for which the special permit is desired by attaching a copy of the applicable deed evidencing applicant's ownership, a copy of the applicable lease evidencing applicant's leasehold interest, or an affidavit regarding ownership (a form for which is attached to this Application).
2. **Survey and site map.** Certified survey and detailed site map.

¹ If metes and bounds description, please attach.

3. **Project plans.** Detailed and certified project plans.
4. **Structural engineer review.** If a tower or architectural element is included, certified review by a licensed structural engineer.
5. **Scope of proposed work.** A narrative of the need for the proposed device(s) and proposed scope of work in non-technical language in sufficient detail for analysis by the City's Planning Commission and City Council.
6. **List of Owners of Abutting Property.** A report developed from the current records of the Oklahoma County Assessor and/or the Oklahoma County Clerk within the last 30 days, stating the names, addresses, and contact information for the owners of property abutting the proposed site. If the report is not certified by a licensed and bonded abstractor, Applicant will be responsible for the accuracy and completeness of the information in the report.

This Application will be considered officially submitted and filed only after it is examined by the Director of Public Works and the City Clerk and found to have met the applicable requirements of Sec. 50-127 and those set out in this Application and after the fee of \$750 as required by Sec. 50-327 of the Nichols Hills City Code has been paid. At that time, the City Clerk will set the Application for hearing before the Nichols Hills Planning Commission and the Nichols Hills City Council. Applicant will be advised of the date and time for those hearings. It is highly recommended that applicant attend (or have a representative attend) the hearings and be prepared to answer questions.

The above statements in this Application and all attachments to it are true and correct.

Submitted and agreed to this 10th day of October, 2022.

Signature: Donna Davis

Print applicant's full legal name: Donna Davis

Print signatory party's title if applicant is a legal entity: Site Acquisition Specialist

Form of affidavit regarding ownership**Affidavit**

STATE OF _____

COUNTY OF _____

[Full legal name], being first duly sworn, stated:

1. My name is *[full legal name]*. My address is *[full address]*. I am over the age of 18. I am a resident of the State of *[state]*. I have personal knowledge of the matters stated in this Affidavit.
2. I am the applicant for a special permit for a communication device pursuant to the Nichols Hills City Code.
3. I am the current and legal owner of the property in the City of Nichols Hills with the address of *[insert address]* and more particularly described as:

[Insert legal description]

4. This address and legal description accurately describe the property for which the special permit for a communication device is requested.

I declare to the best of my knowledge and belief that the information in this Affidavit is true, correct, and complete.

Executed this _____ day of _____, 202__.

*[Full legal name]***Notary Acknowledgment**

Subscribed and sworn to before me this _____ day of _____, 202__.

Notary Public

My Commission Expires: _____

Comm. No. _____

This conveyance was approved on the _____ day of _____, 202__, by the City Council of the City of Nichols Hills, Oklahoma, pursuant to the Nichols Hills Subdivision Regulations as adopted by the Nichols Hills City Code.

By: _____

Printed name: _____

Title: _____



370 Mallory Station Road dSuite 505
Franklin, TN 37067

Phone: (615) 771-1553
www.crowncastle.com

5.a.a

October 10, 2022

OK-CITY OF NICHOLS HILLS
Planning & Zoning
6407 AVONDALE DRIVE
NICHOLS HILLS, OK 73116

Via Mail

*****NOTICE OF ELIGIBLE FACILITIES REQUEST*****

RE: Request for Minor Modification to Existing Wireless Facility – Section 6409

Site Address: 6706 North Pennsylvania Ave., Nichols Hills, OK 73159

Crown Site Number: 822901 / Crown Site Name: Camden

Customer Site Number: OK01296F / Application Number: 624581

Attention Planning & Zoning:

On behalf of T-Mobile Central LLC (“T-Mobile” or “Applicant”), Crown Castle USA Inc. (“Crown Castle”) is pleased to submit this request to modify the existing wireless facility noted above through the collocation, replacement and/or removal of the Applicant’s equipment as an eligible facilities request for a minor modification under Section 6409¹ and the rules of the Federal Communications Commission (“FCC”).²

The proposed scope of work for this project includes:

Add or replace antennas, ancillary equipment and ground equipment as per plans for an existing carrier on an existing wireless communication facility. No changes to the height of the tower.

At the end of this letter is a checklist of the applicable substantial change criteria under Section 6409. Additionally, please find enclosed the following information in support of this request:

- (1) City of Nichols Hills Application for Special Permit Communication Device**
- (2) \$750.00 Check for the plans review fees Check #2814749**
- (3) Lease Agreement between Crown Castle and City of Nichols Hills**
- (4) Construction Drawings;**
- (5) Structural Analysis; and**
- (6) Section 6409 Substantial Change Checklist.**
- (7) List of Abutting Property Owners**

¹ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6409 (2012) (codified at 47 U.S.C. § 1455).

² *Acceleration of Broadband Deployment by Improving Wireless Facility Siting Policies*, 29 FCC Rcd. 12865 (2014) (codified at 47 CFR § 1.6100); and *Implementation of State & Local Governments’ Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012*, WT Docket No. 19-250 (June 10, 2020).

³ See 47 CFR § 1.6100 (c)(3). ⁴ See 2020 Upgrade Order at paragraph 16.

The Foundation for a Wireless World

CrownCastle.com

Attachment: Crown Castle Packet (6177 : Crown Castle - Special Permit Application)



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As these documents indicate, (i) the modification involves the collocation, removal or replacement of transmission equipment; and (ii) such modification will not substantially change the physical dimensions of such tower or base station. As such, it is an "eligible facilities request" as defined in the FCC's rules to which the 60-day deadline for approval applies. Accordingly, Applicant requests all authorization necessary for this proposed minor modification under Section 6409.

Section 6409 mandates that state and local governments must approve any eligible facilities request for the modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. Under Section 6409, to toll the review period, if the reviewing authority determines that the application is incomplete, it must provide written notice to the applicant within 30 days, which clearly and specifically delineates all missing documents or information reasonably related to whether the request meets the federal requirements.³ Additionally, if a state or local government, fails to issue any approvals required for this request within 60 days, these approvals are deemed granted. The FCC has clarified that the 30-day and 60-day deadlines begins when an applicant: (1) takes the first step required under state or local law; and (2) submits information sufficient to inform the jurisdiction that this modification qualifies under the federal law⁴. Please note that with the submission of this letter and enclosed items, the thirty and sixty-day review periods have started. Based on this filing, the deadline for written notice of incomplete application is November 9, 2022, and the deadline for issuance of approval is December 9, 2022.

Our goal is to work with you to obtain approvals earlier than the deadline. We will respond promptly to any request for related information you may have in connection with this request. Please let us know how we can work with you to expedite the approval process. We look forward to working with you on this important project, which will improve wireless telecommunication services in your community using collocation on existing infrastructure. If you have any questions, please do not hesitate to contact me.

Regards,

Donna Davis

Donna Davis

Site Acquisition Specialist

Crown Castle, Agent for Applicant

(615) 771-1553

Donna.Davis@crowncastle.com

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Section 6409 Substantial Change Checklist
Towers Outside of the Public Right of Way

The Federal Communications Commission has determined that a modification substantially changes the physical dimension of a wireless tower or base station under 47 U.S.C. § 1455(a) if it meets one of six enumerated criteria under 47 C.F.R. § 1.6100.

Criteria for Towers Outside the Public Rights of Way

YES/NO NO	Does the modification increase the height of the tower by more than the greater of: (a) 10% (b) or, the height of an additional antenna array plus separation of up to 20 feet from the top of the nearest existing antenna?
YES/NO NO	Does the modification add an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 feet or more than the width of the tower structure at the level of the appurtenance, whichever is greater?
YES/NO NO	Does the modification involve the installation of more than the standard number of new equipment cabinets for the technology involved or add more than four new equipment cabinets?
YES/NO NO	Does the modification entail any excavation or deployment outside the current site by more than 30 feet in any direction, not including any access or utility easements?
YES/NO NO	Does the modification defeat the concealment elements of the eligible support structure?
YES/NO NO	Does the modification violate conditions associated with the siting approval with the prior approval the tower or base station other than as specified in 47 C.F.R. § 1.6100(c)(7)(i) – (iv)?

If all questions in the above section are answered “NO,” then the modification does not constitute a substantial change to the existing tower under 47 C.F.R. § 1.6100.



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PLEASE SEE BELOW THE LIST OF ABUTTING PROPERTY OWNERS

Owner: OKLA CITY GOLF & COUNTRY CLUB

Account Number: R169711495
Physical Address: 7000 NW GRAND BLVD NICHOLS HILLS
Owner Name1: OKLA CITY GOLF & COUNTRY CLUB
Owner Name2:
Owner Name3:
Mailing Address1: 7000 NW GRAND BLVD
City: NICHOLS HILLS
State: OK
ZipCode: 73116-4199
Tax District: 500
Tax District Name: Oklahoma City #89

Owner: SROUJI NABIL E & PENELOPE TRS

Account Number: R169862000
Physical Address: 1820 DRURY LN NICHOLS HILLS
Owner Name1: SROUJI NABIL E & PENELOPE TRS
Owner Name2: SROUJI NABIL E REV TRUST
Owner Name3:
Mailing Address1: 1820 DRURY LN
City: NICHOLS HILLS
State: OK
ZipCode: 73116-5312



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Tax District: 500

Tax District Name: Oklahoma City #89

Owner: RICHARDSON RONALD L 2008 REV TRUST

Account Number: R169862100

Physical Address: 1829 DEVONSHIRE ST NICHOLS HILLS

Owner Name1: RICHARDSON RONALD L 2008 REV TRUST

Owner Name2:

Owner Name3:

Mailing Address1: 1829 DEVONSHIRE ST

City: NICHOLS HILLS

State: OK

ZipCode: 73116

Tax District: 500

Tax District Name: Oklahoma City #89

Owner: LAMBERT WILLIAM D IV

Account Number: R169863300

Physical Address: 1824 DEVONSHIRE ST NICHOLS HILLS

Owner Name1: LAMBERT WILLIAM D IV

Owner Name2: LAMBERT ALLYSON BANDY

Owner Name3:

Mailing Address1: 1824 DEVONSHIRE ST

City: NICHOLS HILLS

State: OK

ZipCode: 73116

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Tax District: 500

Tax District Name: Oklahoma City #89

Owner: STOCKYARD PROPERTY LLC

Account Number: R169577259

Physical Address: 6621 N HILLCREST AVE NICHOLS HILLS

Owner Name1: STOCKYARD PROPERTY LLC

Owner Name2:

Owner Name3:

Mailing Address1: 11201 SE 44TH ST

City: OKLAHOMA CITY

State: OK

ZipCode: 73150

Tax District: 500

Tax District Name: Oklahoma City #89

Attachment: Crown Castle Packet (6177 : Crown Castle - Special Permit Application)

2021052101088742 B: 14748 P: 84
 05/21/2021 10:04:16 AM Pgs: 4
 Fee: \$24.00
 David B. Hooten, County Clerk
 Oklahoma County - State of Oklahoma



WHEN RECORDED RETURN TO:

T-Mobile USA Tower LLC
 c/o Post Closing – Recording
 1220 Augusta Drive
 Houston, TX 77057

Prepared by:
 Weiss Brown, PLLC
 6263 N. Scottsdale Rd., Suite 340
 Scottsdale, AZ 85250

Space above this line for Recorder's Use

A.P.N. City property - not assigned

Prior recorded document(s) in Oklahoma County, Oklahoma:
 Original Lease Unrecorded

**MEMORANDUM OF FIRST AMENDMENT TO
 AGREEMENT**

This Memorandum of First Amendment to Agreement is made effective this 9th day of March, 2021 by and between CITY OF NICHOLS HILLS, OKLAHOMA, a municipal corporation (hereinafter referred to as "Lessor") and T-MOBILE USA TOWER LLC, a Delaware limited liability company, by and through its Attorney In Fact, CCTMO LLC, a Delaware limited liability company (hereinafter referred to as "Lessee").

1. Lessor and Lessee, as successor in interest to Western PCS I Corporation, a Delaware corporation entered into an Agreement dated January 14, 1997 (the "Agreement") whereby Original Lessee leased certain real property, together with access and utility easements, located in Oklahoma County, Oklahoma from Lessor (the "Leased Premises"), all located within certain real property owned by Lessor ("Lessor's Property"). The Leased Premises is more particularly described on Exhibit A attached hereto.

2. The Agreement commenced on January 15, 1997 and will expire on January 14, 2022.

3. Lessor and Lessee have entered into a First Amendment to Agreement (the "First Amendment"), of which this is a Memorandum, wherein the term of the Agreement was extended to January 14, 2024.

4. The terms, covenants and provisions of the First Amendment shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of Lessor and Lessee.

5. This Memorandum does not contain the social security number of any person.

6. A copy of the First Amendment is on file with Lessor and Lessee.

IN WITNESS WHEREOF, hereunto and to duplicates hereof, Lessor and Lessee have caused this Memorandum to be duly executed on the day and year first written above.

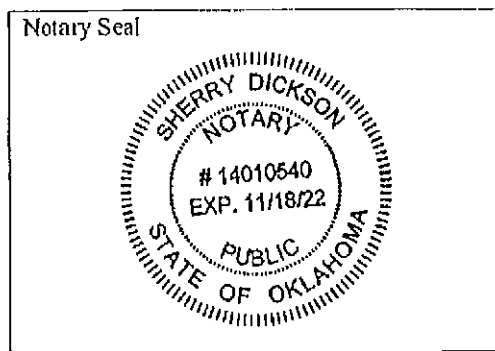
LESSOR:
CITY OF NICHOLS HILLS, OKLAHOMA,
a municipal corporation

By: Sody H. Clements
Print Name: Sody Clements
Title: Mayer

STATE OF Oklahoma)
)ss.
COUNTY OF Oklahoma)

On this 9th day of March 2021, before me, the subscriber, a Notary Public in and for said State and County, personally appeared Sody Clements, the Mayer of CITY OF NICHOLS HILLS, OKLAHOMA, known or identified to me to be the person whose name is subscribed to the foregoing Memorandum of First Amendment to Agreement, and in due form of law acknowledged that he/she is authorized on behalf of said company to execute all documents pertaining hereto and acknowledged to me that he/she executed the same as his/her voluntary act and deed on behalf of said company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal in said State and County on the day and year last above written.



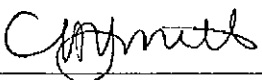
Sherry Dickson
(Signature of Notary)

My Commission Expires: 11-18-22

LESSEE:

T-MOBILE USA TOWER LLC, a Delaware
limited liability company

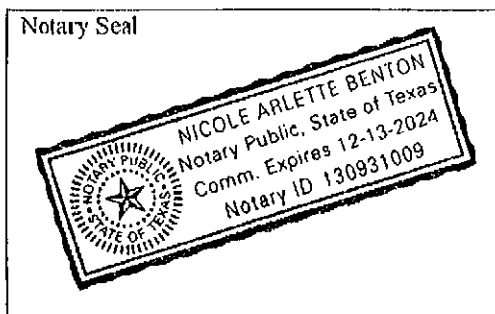
By: CCTMO LLC, a Delaware limited
liability company
Its: Attorney In Fact

By: 
Print Name: Helen V. Smith
Title: Director

STATE OF Texas)
COUNTY OF Harris) ss.

On this 31 day of March 2021, before me, the subscriber, a Notary Public in and for said State and County, personally appeared Helen V. Smith, the Director of CCTMO LLC, known or identified to me to be the person whose name is subscribed to the foregoing Memorandum of First Amendment to Agreement, and in due form of law acknowledged that he/she is authorized on behalf of said company to execute all documents pertaining hereto and acknowledged to me that he/she executed the same as his/her voluntary act and deed on behalf of said company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal in said State and County on the day and year last above written.




(Signature of Notary)

My Commission Expires: _____

EXHIBIT A
(Legal Description of Leased Premises)

LEASED PREMISES

A tract of land lying in the Northeast Quarter of Section 6, Township 12 North, Range West of the Indian Meridian, Oklahoma County, Oklahoma, and being described as follows:

COMMENCING at the Southeast corner of Lot 2, Block 88 NICHOLS HILLS SUBDIVISION as recorded in Oklahoma County, Oklahoma; THENCE North 30°46'23" West a distance of 224.68 feet to the POINT OF BEGINNING; THENCE North 11°24'50" East a distance of 20.00 feet; THENCE South 78°35'10" East a distance of 20.00 feet; THENCE South 11°24'50" West a distance of 20.00 feet; THENCE North 78°35'10" West a distance of 20.00 feet to the POINT OF BEGINNING.

Said tract contains 400 square feet or 0.0092 acres, more or less.

ACCESS AND UTILITY EASEMENT

A tract of land lying in the Northeast Quarter of Section 6, Township 12 North, Range West of the Indian Meridian, Oklahoma County, Oklahoma, and being described as follows:

A 20.00 foot easement for Ingress and Egress lying 10.00 feet each side of the following described center line. COMMENCING at the Southeast corner of Lot 2, Block 88 Oklahoma County, Oklahoma, THENCE North 07°52'32" West a distance of 353.05 feet to the POINT OF BEGINNING; THENCE North 90°00'00" West a distance of 69.31 feet; THENCE South 08°45'51" West a distance of 144.44 feet; THENCE South 81°14'09" East a distance of 27.02 feet to the POINT OF TERMINATION.

Date: August 08, 2022



Crown Castle
2000 Corporate Drive
Canonsburg, PA 15317
(724) 416-2000

Subject: Structural Analysis Report

Carrier Designation: T-Mobile Co-Locate
Site Number: OK01296F

Crown Castle Designation: BU Number: 822901
Site Name: Camden
JDE Job Number: 724324
Work Order Number: 2136495
Order Number: 624581 Rev. 5

Engineering Firm Designation: Crown Castle Project Number: 2136495

Site Data: 6706 North Pennsylvania Ave., Nichols Hills, Oklahoma County, OK
Latitude 35° 32' 42.875", Longitude -97° 33' 0.789"
70 Foot - Monopole Tower

Crown Castle is pleased to submit this "Structural Analysis Report" to determine the structural integrity of the above-mentioned tower.

The purpose of the analysis is to determine acceptability of the tower stress level. Based on our analysis we have determined the tower stress level for the structure and foundation, under the following load case, to be:

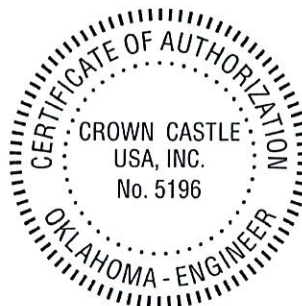
LC7: Proposed Equipment Configuration

Sufficient Capacity

This analysis utilizes an ultimate 3-second gust wind speed of 115 mph as required by the 2015 International Building Code. Applicable Standard references and design criteria are listed in Section 2 - "Analysis Criteria".

Structural analysis prepared by: Blake Jacobsen, EIT / JKK

Respectfully submitted by:



Terry P Styran
2022.08.08
13:47:59 -04'00'

Terry P. Styran, P.E., S.E.
Senior Project Engineer

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1) INTRODUCTION

This tower is a 70 ft Monopole tower designed by Valmont.

2) ANALYSIS CRITERIA

TIA-222 Revision: TIA-222-H
 Risk Category: II
 Wind Speed: 115 mph
 Exposure Category: C
 Topographic Factor: 1
 Ice Thickness: 1.5 in
 Wind Speed with Ice: 40 mph
 Service Wind Speed: 60 mph

Table 1 - Proposed Equipment Configuration

Mounting Level (ft)	Center Line Elevation (ft)	Number of Antennas	Antenna Manufacturer	Antenna Model	Number of Feed Lines	Feed Line Size (in)
67.0	67.0	3	commscope	FFHH-65C-R3 w/ Mount Pipe	2	1-1/2
		2	commscope	HCS 2.0 Part 1		
		3	nokia	AEHC w/ Mount Pipe		
		3	nokia	AHFIG_TMO		
		3	nokia	AHLOA		
		1	alt	2122S-5(3)		

Table 2 - Other Considered Equipment

Mounting Level (ft)	Center Line Elevation (ft)	Number of Antennas	Antenna Manufacturer	Antenna Model	Number of Feed Lines	Feed Line Size (in)
70.0	70.0	1	federal signal	MOD3012	-	-
57.0	57.0	1	Perfect Vision	PV-MPM-SFA	1	2
		3	commscope	NNH4-65C-R3B-V1 w/ Mount Pipe		
		1	raycap	RCMDC-6627-PF-48		
		3	samsung telecommunications	MT6407-77A w/ Mount Pipe		
		3	samsung telecommunications	RF4439D-25A		
		3	samsung telecommunications	RF4440D-13A		

3) ANALYSIS PROCEDURE

Table 3 - Documents Provided

Document	Reference	Source
4-GEOTECHNICAL REPORTS	3514687	CCISITES
4-TOWER FOUNDATION DRAWINGS/DESIGN/SPECS	3514686	CCISITES
4-TOWER MANUFACTURER DRAWINGS	3771030	CCISITES

3.1) Analysis Method

tnxTower (version 8.1.1.0), a commercially available analysis software package, was used to create a three-dimensional model of the tower and calculate member stresses for various loading cases. Selected output from the analysis is included in Appendix A. When applicable, Crown Castle has calculated and provided the effective area for panel antennas using approved methods following the intent of the TIA-222 standard.

3.2) Assumptions

- 1) Tower and structures were maintained in accordance with the TIA-222 Standard.
- 2) The configuration of antennas, transmission cables, mounts and other appurtenances are as specified in Tables 1 and 2 and the referenced drawings.

This analysis may be affected if any assumptions are not valid or have been made in error. Crown Castle should be notified to determine the effect on the structural integrity of the tower.

4) ANALYSIS RESULTS

Table 4 - Section Capacity (Summary)

Section No.	Elevation (ft)	Component Type	Size	Critical Element	P (K)	SF*P_allow (K)	% Capacity	Pass / Fail
L1	70 - 31.0833	Pole	TP21.9x14.9x0.25	1	-9.473	1035.695	34.3	Pass
L2	31.0833 - 0	Pole	TP27x20.696x0.313	2	-13.748	1649.529	43.2	Pass
							Summary	
						Pole (L2)	43.2	Pass
						Rating =	43.2	Pass

Table 5 - Tower Component Stresses vs. Capacity - LC7

Notes	Component	Elevation (ft)	% Capacity	Pass / Fail
1	Anchor Rods	0	62.7	Pass
1	Base Plate	0	35.8	Pass
1	Base Foundation (Structure)	0	29.8	Pass
1	Base Foundation (Soil Interaction)	0	8.8	Pass

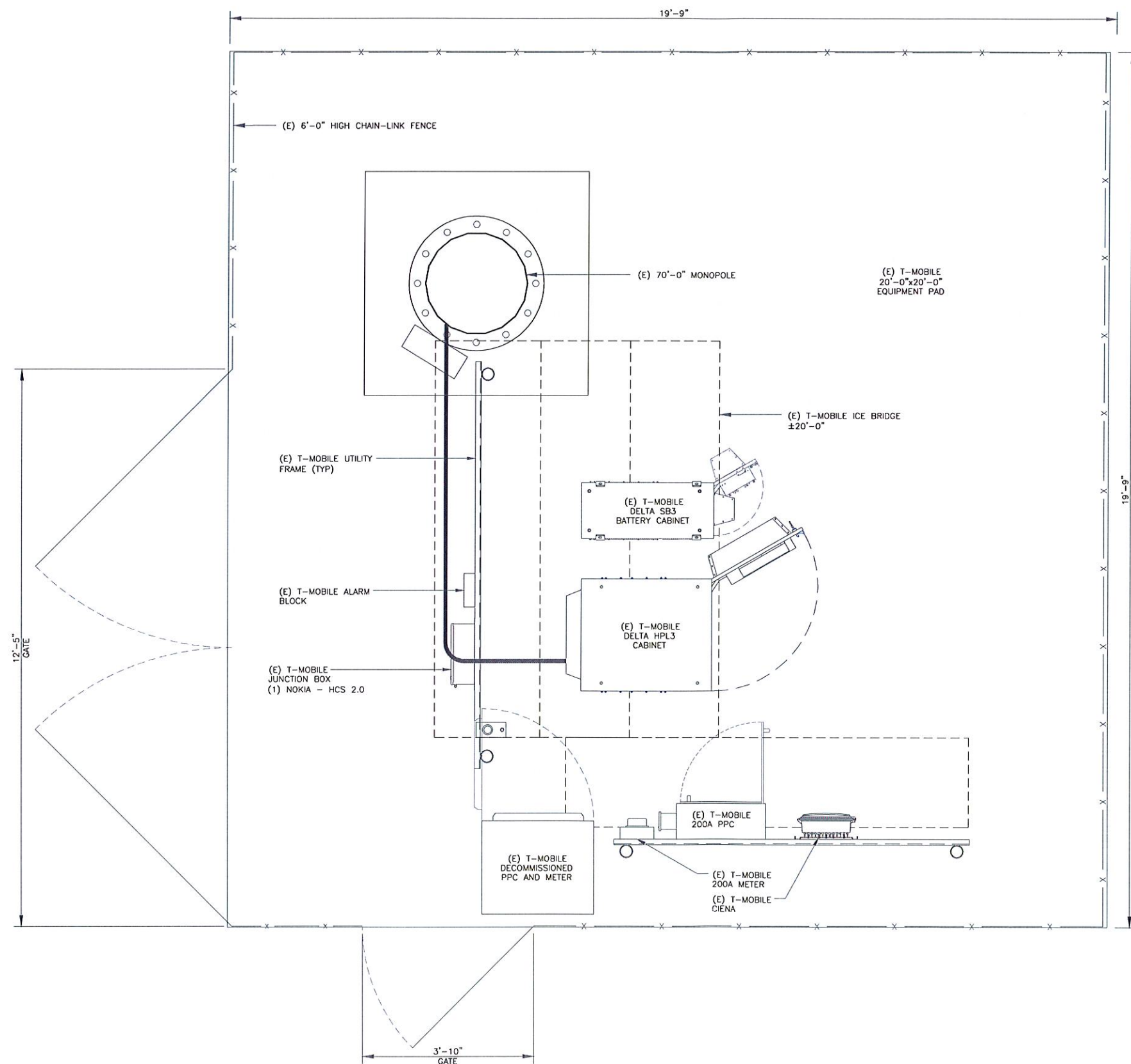
Structure Rating (max from all components) =	62.7%
---	--------------

Notes:

- 1) See additional documentation in "Appendix C – Additional Calculations" for calculations supporting the % capacity consumed.

4.1) Recommendations

The tower and its foundation have sufficient capacity to carry the proposed load configuration. No modifications are required at this time.



1 SITE PLAN
SCALE: 3/4"=1'-0" (FULL SIZE)
3/8"=1'-0" (11x17)

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BU #: 822901
CAMDEN

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PENNSYLVANIA AVE.
NICHOLS HILLS, OK, 73159

EXISTING 70'-0"
MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
0	8/16/22	MEH	CONSTRUCTION	LR
1	8/18/22	YX	CONSTRUCTION	LR



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REVISION:
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BUSINESS UNIT #: 822901
SITE ADDRESS: 6706 NORTH PENNSYLVANIA AVE.
 NICHOLS HILLS, OK 73159
COUNTY: OKLAHOMA
SITE TYPE: MONOPOLE
TOWER HEIGHT: 70'-0"

DRAWING INDEX

SHEET #	SHEET DESCRIPTION
T-1	TITLE SHEET
T-2	GENERAL NOTES
C-1.1	SITE PLAN
C-1.2	EXISTING AND FINAL EQUIPMENT PLANS
C-2	FINAL ELEVATION & ANTENNA PLANS
C-3	EQUIPMENT DETAILS & COAX COLOR CODING
C-4	EQUIPMENT SPECIFICATIONS
E-1	PANEL SCHEDULES & ONE-LINE DIAGRAM
G-1	TYPICAL GROUNDING SCHEMATIC
G-2	GROUNDING DETAILS
ATTACHED	MOUNT SPECIFICATIONS

A&E FIRM: B+T GROUP
1717 S. BOULDER AVE.
TULSA, OK 74119
MARVIN PHILLIPS
MARVIN.PHILLIPS@BTGRP.COM

CROWN CASTLE
USA INC. DISTRICT
CONTACTS: 1500 CORPORATE DRIVE
CANONSBURG, PA 15137

BRYCE NORTHCUTT - PROJECT MANAGER
BRYCE.NORTHCUTT@CROWNCastle.COM

DANNY CARTER - CONSTRUCTION MANAGER
DANNY.CARTER@CROWNCastle.COM

DALE GRAY - AES
DALE.GRAY@CROWNCastle.COM

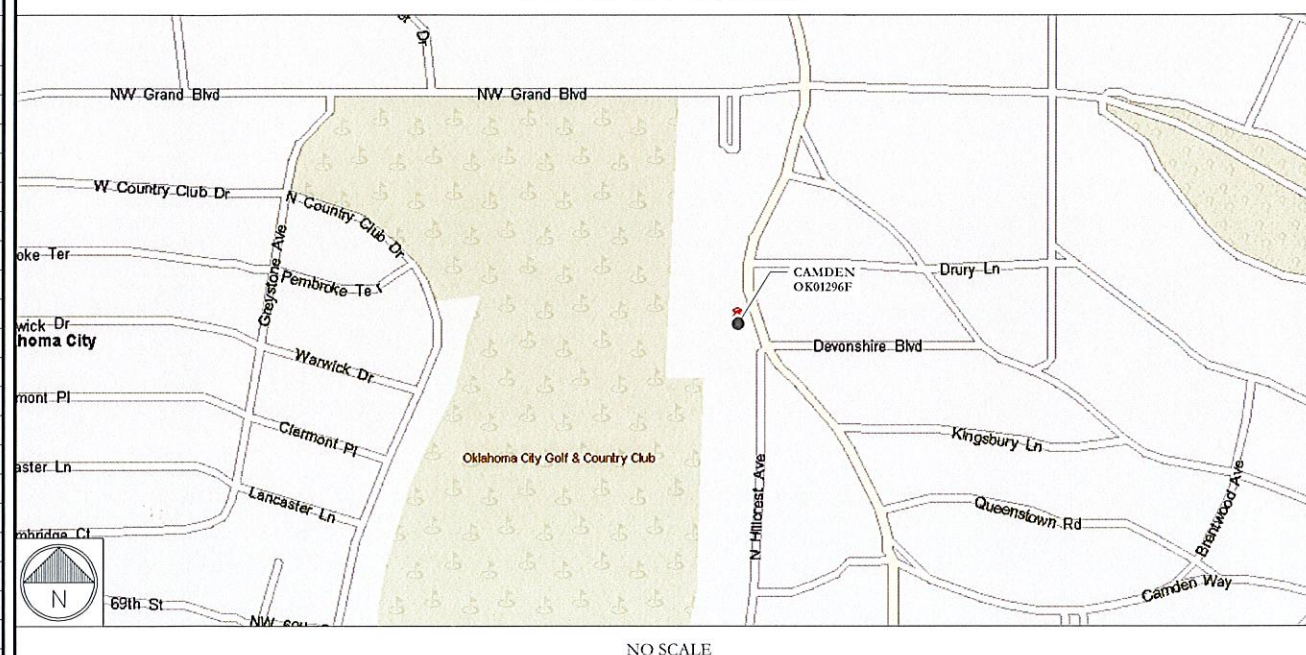
ALL DRAWINGS CONTAINED HEREIN ARE FORMATTED FOR FULL SIZE.
CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS
AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY
THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE
PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



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CALL 3 WORKING DAYS
BEFORE YOU DIG!



LOCATION MAP



PROJECT DESCRIPTION

THE PURPOSE OF THIS PROJECT IS TO ENHANCE BROADBAND CONNECTIVITY AND CAPACITY TO THE EXISTING ELIGIBLE WIRELESS FACILITY.

TOWER SCOPE OF WORK:

- REMOVE (3) NOKIA - AHFIB RRHs
 - REMOVE (1) MOUNT KIT
 - RELOCATE (3) COMMSCOPE - FFHH-65C-R3 ANTENNAS
 - RELOCATE (1) NOKIA - HCS 2.0 PART 1 PENDANT
 - RELOCATE (3) NOKIA - AHL0A
 - INSTALL (3) NOKIA - AEHC ANTENNAS
 - INSTALL (3) NOKIA - AHFIB RRHs
 - INSTALL (1) NOKIA - HCS 2.0 PART 1 PENDANT
 - INSTALL (1) HCS 2.0 PART 3 TRUNK
 - INSTALL (1) ALT - 2122S-5 ANTENNA MOUNT KIT WITH MODIFICATIONS
- PER MOUNT ANALYSIS BY INFINIGY, DATED AUGUST 1, 2022.

GROUND SCOPE OF WORK:

- REMOVE (1) CSR 7210 SAS-MXP, (1) FSMF, (1) ASIA, (1) ASIK, (1) ABIA, (1) ABIL, (2) AMOB
- INSTALL (1) NOKIA - HCS 2.0 JUNCTION BOX.
- INSTALL (2) ASIL, (4) ABIO, (1) AMIA, (1) VOLTAGE BOOSTER POWERPLUS S2 W/ 2 AMPLIFIER RAYCAP, (1) EXTRA AMPLIFIER FOR POWERPLUS VOLTAGE BOOSTER RAYCAP, (1) CSR IXRE V2 (GEN2)

PRIOR TO ACCESSING/ENTERING THE SITE YOU MUST CONTACT THE CROWN NOC AT (800) 788-7011 & CROWN CONSTRUCTION MANAGER.

APPLICABLE CODES & REFERENCE DOCUMENTS

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

<u>CODE TYPE</u>	<u>CODE</u>
BUILDING	IBC 2015 W/AMENDMENTS
MECHANICAL	IMC 2015 W/AMENDMENTS
ELECTRICAL	NEC 2014 W/AMENDMENTS

REFERENCE DOCUMENTS:

STRUCTURAL ANALYSIS: CROWN CASTLE
DATED: 8/8/22

MOUNT ANALYSIS: INFINIGY
DATED: 8/1/22

RFDS REVISION: 5
DATED: 7/28/22

ORDER ID: 624581
REVISION: 0

INSTALLER NOTE:

NO PROPOSED LOADING TO BE ADDED
UNTIL MOUNT SWAP IS COMPLETE AND
MOUNT MODIFICATIONS ARE INSTALLED
PER MOUNT MODIFICATION DESIGN BY
INFINIGY DATED AUGUST 1, 2022.

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EXISTING 70'-0"
MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
0	8/16/22	MEH	CONSTRUCTION	LR
1	8/18/22	YX	CONSTRUCTION	LR



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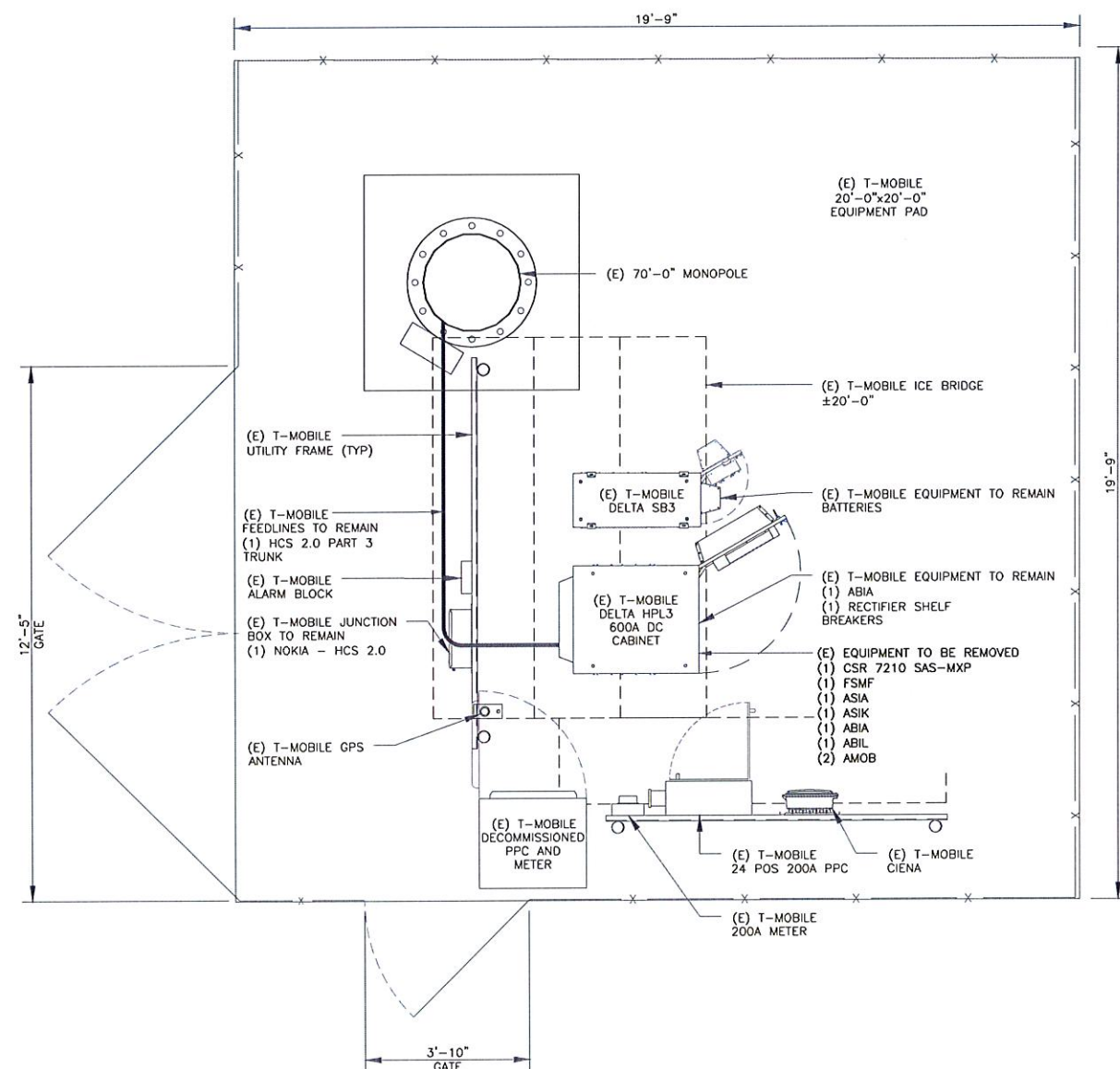
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C-1.2

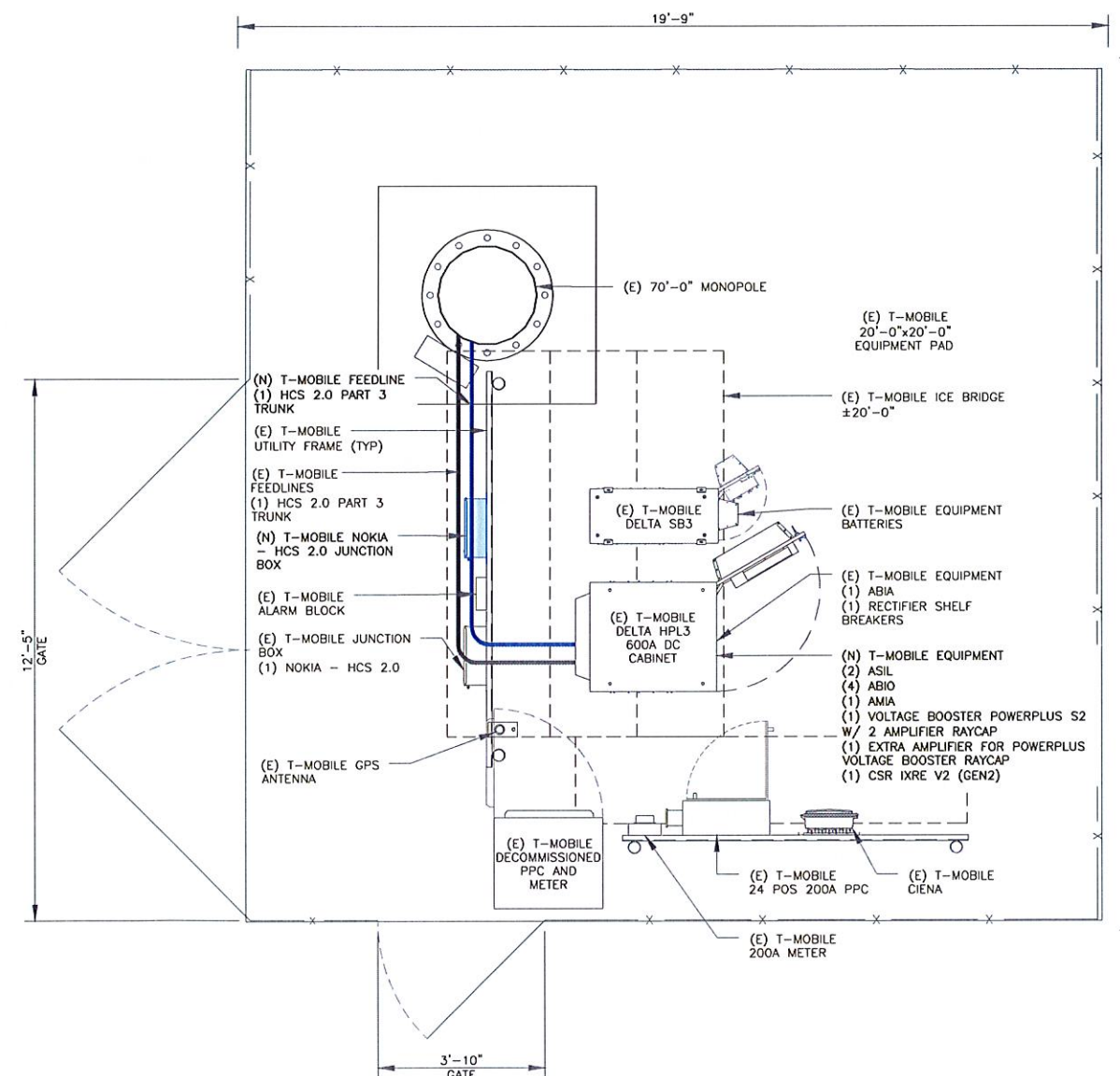
REVISION:
1

EQUIPMENT LEGEND:

- EXISTING
TO BE RELOCATED/REMOVED
NEW



1 EXISTING EQUIPMENT PLAN
SCALE: 1/2"=1'-0" (FULL SIZE)
1/4"=1'-0" (11x17)



2 FINAL EQUIPMENT PLAN
SCALE: 1/2"=1'-0" (FULL SIZE)
1/4"=1'-0" (11x17)



STRUCTURE W/ HIGHEST APPURTENANCE
ELEV. = 77'-0"

HEIGHT OF MONOPOLE
ELEV. = 70'-0"

EXISTING T-MOBILE ANTENNA CENTERLINE
ELEV. = 67'-0"

EXISTING T-MOBILE MOUNT CENTERLINE
ELEV. = 67'-0"

3/C-2
INSTALL ALT - 2022S-5 MOUNT KIT WITH
MODIFICATIONS PER MOUNT MODIFICATION
DESIGN BY INFINGY DATED AUGUST 1, 2022

(E) T-MOBILE FEEDLINES
(1) HCS 2.0 PART 3 TRUNK

NEW T-MOBILE FEEDLINE
(1) NOKIA - HCS 2.0 PART 3 (1-1/2")
(125'-0" LONG)
(ROUTED PER STRUCTURAL ANALYSIS)

(E) 70'-0" MONOPOLE

1 EXISTING ELEVATION
SCALE: NOT TO SCALE

EQUIPMENT LEGEND:

- EXISTING
- TO BE RELOCATED/REMOVED
- NEW

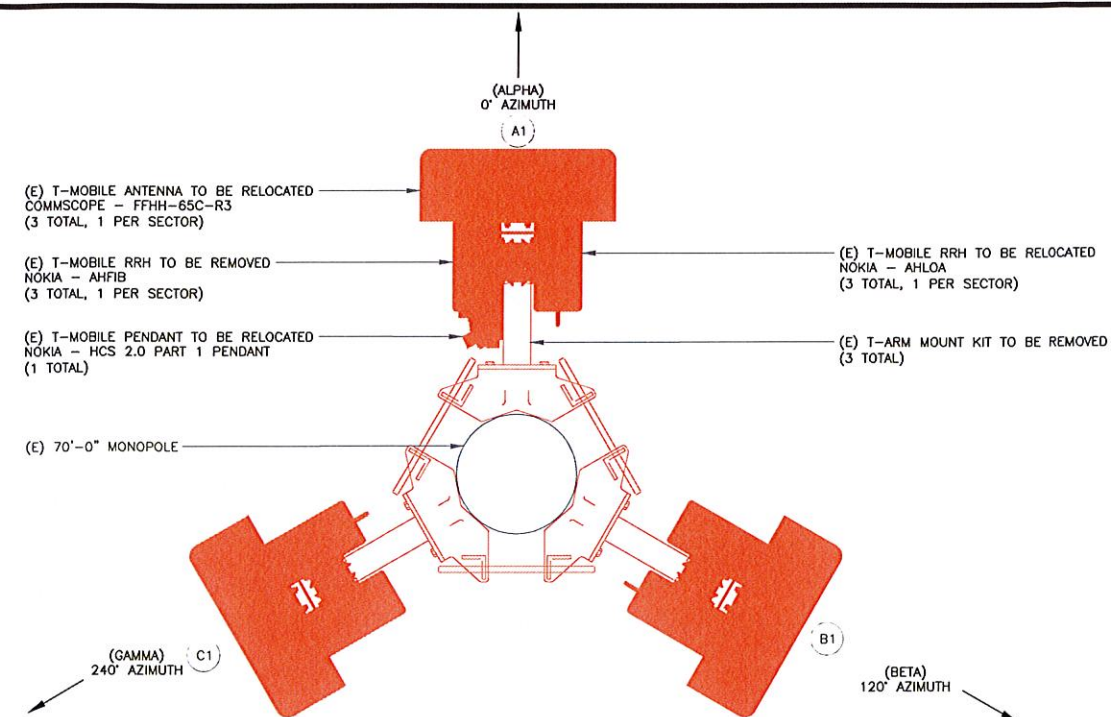
MOUNT ANALYSIS NOTES:

1. THE DESIGN DEPICTED IN THESE DRAWINGS IS VALID WHEN ACCOMPANIED BY A CORRESPONDING PASSING MOUNT ANALYSIS.
2. CONSTRUCTION MANAGER / GENERAL CONTRACTOR SHALL REVIEW THE MOUNT ANALYSIS FOR ANY CONDITIONS PRIOR TO INSTALLATION.
3. ANY REQUIRED MOUNT MODIFICATION DESIGN OR MOUNT REPLACEMENT SHALL BE APPROVED BY EOR.

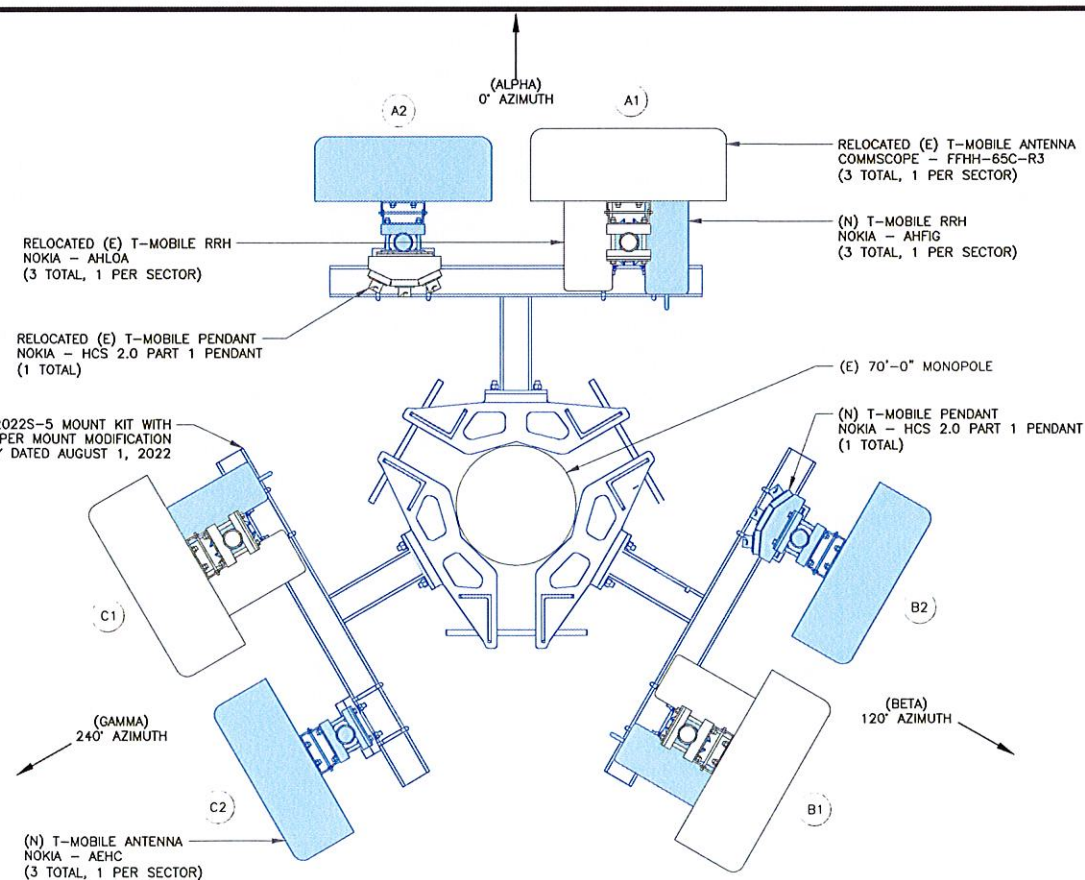
INSTALLER NOTE:

NO PROPOSED LOADING TO BE ADDED UNTIL MOUNT SWAP IS COMPLETE AND MOUNT MODIFICATIONS ARE INSTALLED PER MOUNT MODIFICATION DESIGN BY INFINGY DATED AUGUST 1, 2022.

INSTALL ALT - 2022S-5 MOUNT KIT WITH
MODIFICATIONS PER MOUNT MODIFICATION
DESIGN BY INFINGY DATED AUGUST 1, 2022



2 EXISTING ANTENNA PLAN
SCALE: NOT TO SCALE



3 FINAL ANTENNA PLAN
SCALE: NOT TO SCALE

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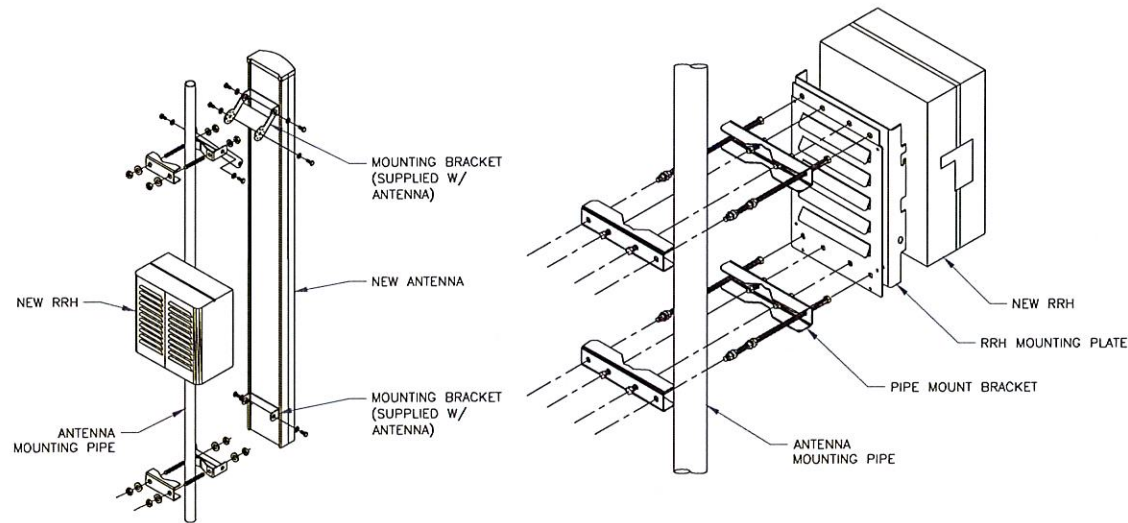
C-3

REVISION:

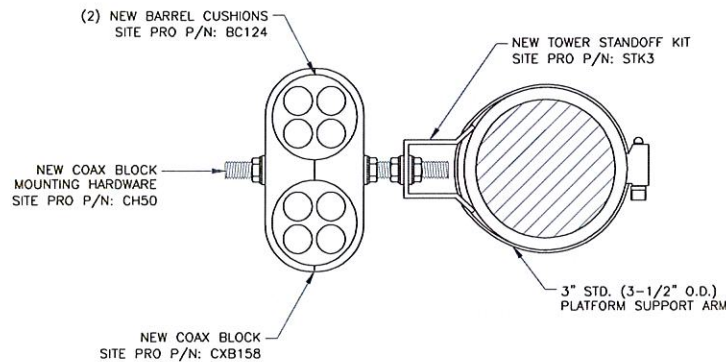
1

INSTALLER NOTES:

1. COMPLY WITH MANUFACTURERS INSTRUCTIONS TO ENSURE THAT ALL RRHs RECEIVE ELECTRICAL POWER WITHIN 24 HOURS OF BEING REMOVED FROM THE MANUFACTURER'S PACKAGING.
2. DO NOT OPEN RRH PACKAGES IN THE RAIN.
3. ALL PIPES, BRACKETS, AND MISCELLANEOUS HARDWARE TO BE GALVANIZED UNLESS NOTED OTHERWISE.



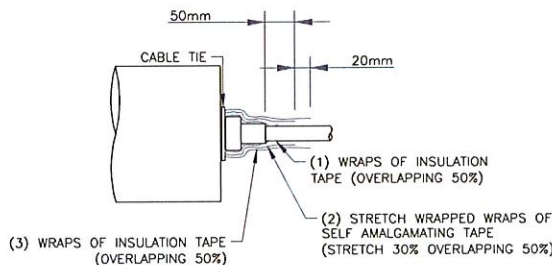
1 ANTENNA WITH RRH MOUNTING DETAIL
SCALE: NOT TO SCALE



2 RF JUMPER DETAIL
SCALE: NOT TO SCALE

INSTALLER NOTE:

JUMPERS TO BE TORQUED TO 221.27 IN/LBS



3 RF JUMPER CONNECTION
SCALE: NOT TO SCALE

Coax Color Coding

- Antennas will be labeled (back of antenna view) right to left: X ports
- Coax/jumper lines will be identified by sector color and by number of bands around the coax/jumper

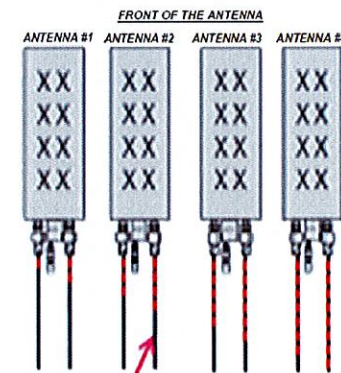
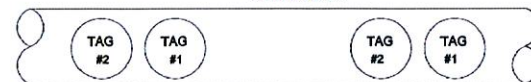
SECTOR A	RED
SECTOR B	GREEN
SECTOR C	BLUE
SECTOR D	YELLOW
SECTOR E	WHITE
SECTOR F	PURPLE
LMU	BROWN + SECTOR COLOR BANDS (1 & 2)
FIBER ID	GRAY
UNUSED COAX	PINK
MICROWAVE	ORANGE
DWE T-1'S + GPS DOWNLINK CABLE	ID W/ LABEL MAKER

COLOR CODING NOTES:

color	GSM
color	UMTS 1900
color	UMTS AWS
color	LTE
color	FIBER CABLE

METALLIC TAG NOTES:

1. TWO METALLIC TAGS SHALL BE ATTACHED AT EACH END OF EVERY CABLE LONGER THAN (3) THREE FEET
2. CABLE LESS THAN (3) THREE FEET WILL HAVE TWO METALLIC TAGS ATTACHED AT THE CENTER OF THE CABLE
3. TAGS WILL BE FASTENED WITH STAINLESS STEEL ZIP TIES APPROPRIATE FOR CABLE DIAMETER
4. STANDARDIZED METALLIC TAG KIT WILL BE ASSEMBLED WITH TAGS ALREADY ENGRAVED TO ACCOMMODATE ALL CONFIGURATIONS



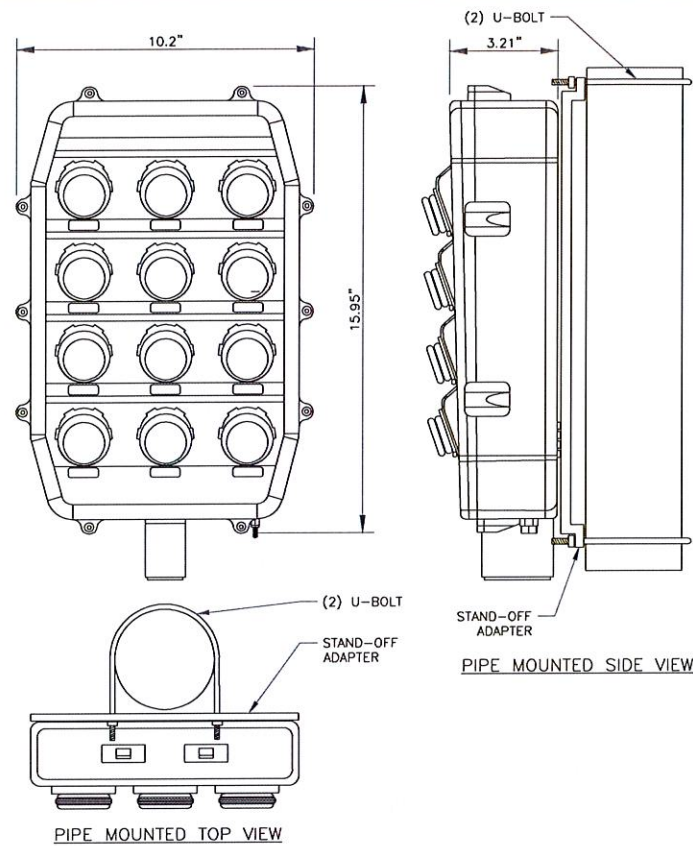
EXAMPLE: COAX WITH FOUR BANDS OF RED TAPE WILL REPRESENT ALPHA SECTOR AND THE 4TH PORT OF ANTENNA

ANTENNA AND COAXIAL CABLE SCHEDULE

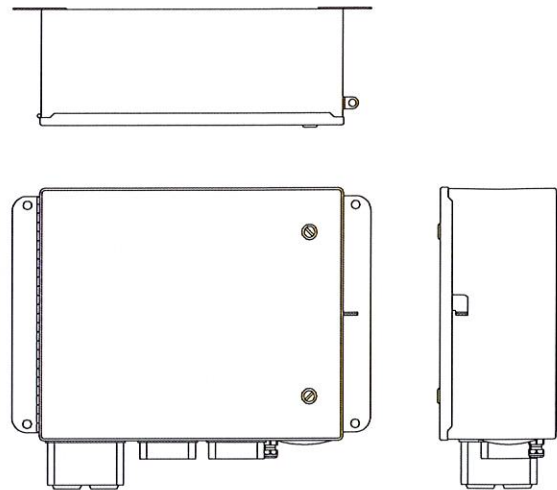
1. ALL ANTENNAS SHALL BE FURNISHED WITH DOWNTILT BRACKETS. CONTRACTOR SHALL COORDINATE REQUIRED MECHANICAL DOWNTILT FOR EACH ANTENNA WITH RF ENGINEER. ANTENNA DOWNTILT SHALL BE SET AND VERIFIED BY A SMART LEVEL.
2. CONTRACTOR SHALL INSTALL COLOR CODE RINGS ON EACH OF THE HYBRID CABLES AND JUMPER CABLES WITH UV RESISTANT TAPE. ALL CABLE SHALL BE MARKED AT TOP AND BOTTOM WITH 2" COLOR TAPE OR STENCIL TAG. COLOR TAPE MAY BE OBTAINED FROM GRAYBAR ELECTRONICS.

4 NOT USED
SCALE: NOT TO SCALE

5 COAX COLOR CODING
SCALE: NOT TO SCALE



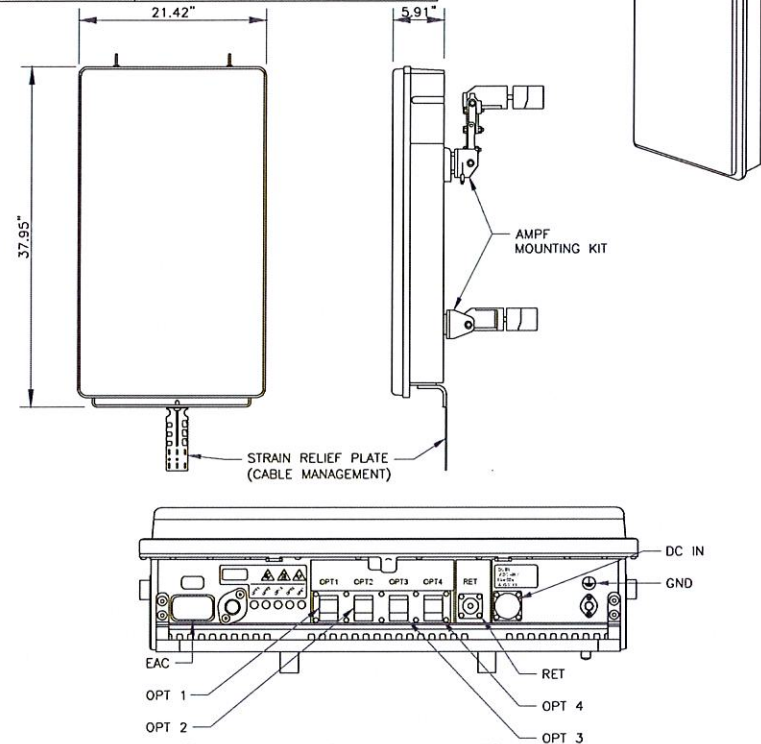
1 HCS 2.0 PENDANT DETAIL
SCALE: NOT TO SCALE



NOKIA - HCS 2.0 JUNCTION BOX
WEIGHT (WITHOUT MOUNTING HARDWARE): 23.5 LBS
SIZE (HxWxD): 14.0x16.0x8.0 IN.

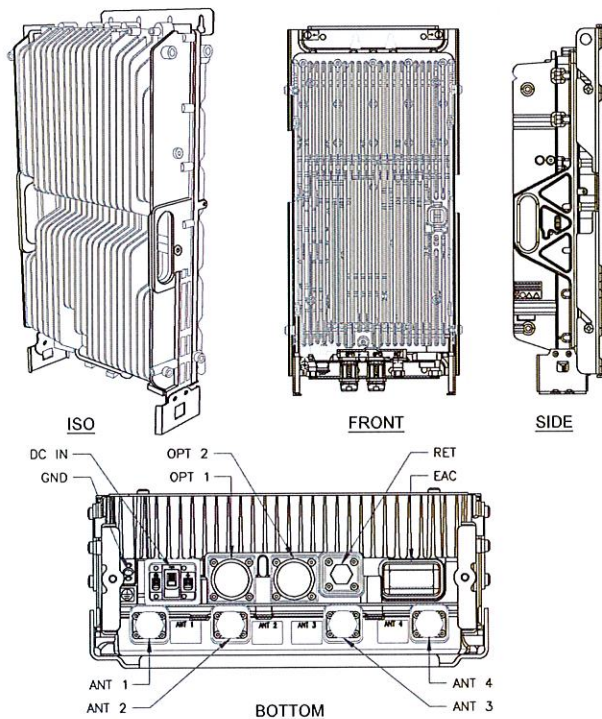
2 NOKIA - HCS 2.0 JUNCTION BOX
SCALE: NOT TO SCALE

MANUFACTURER:	NOKIA
MODEL:	AEHC
DIMENSIONS (HxWxD):	37.95"x21.42"x5.91"
WEIGHT:	108 LBS
BAND:	B41/n41
MOUNTING KIT:	AMPF (475188A) (NOT INCLUDED)



3 NOKIA AEHC ANTENNA SPEC
SCALE: NOT TO SCALE

MANUFACTURER:	NOKIA
MODEL:	AHFIG
DIMENSIONS (HxWxD):	28.7"x12.9"x5.6"
WEIGHT:	70.5 LBS



4 NOKIA AHFIG RRH
SCALE: NOT TO SCALE

5 NOT USED
SCALE: NOT TO SCALE

6 NOT USED
SCALE: NOT TO SCALE

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PENNSYLVANIA AVE.
NICHOLS HILLS, OK, 73159

EXISTING 70'-0"
MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES./QA
0	8/16/22	MEH	CONSTRUCTION	LR
1	8/18/22	YX	CONSTRUCTION	LR



B&T ENGINEERING, INC.
CA 3590 (PE)
Expires 6/30/24

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OF A LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

SHEET NUMBER:

C-4

REVISION:

1

132717.002.01_822901_CAMDEN.dwg - User: lscardier - Aug 18, 2022 - 3:15pm

EXISTING PANEL SCHEDULE									
LOAD	POLES	AMPS	BUS		AMPS	POLES	LOAD		
			L1	L2					
SURGE	2	60A	1	2	20A	1	REC		
			3	4					
			5	6					
			7	8					
			9	10					
SSC	4	200A	11	12	20A	1	INVERTER		
			13	14					
			15	16					
			17	18					
			19	20					
			21	22					
			23	24					

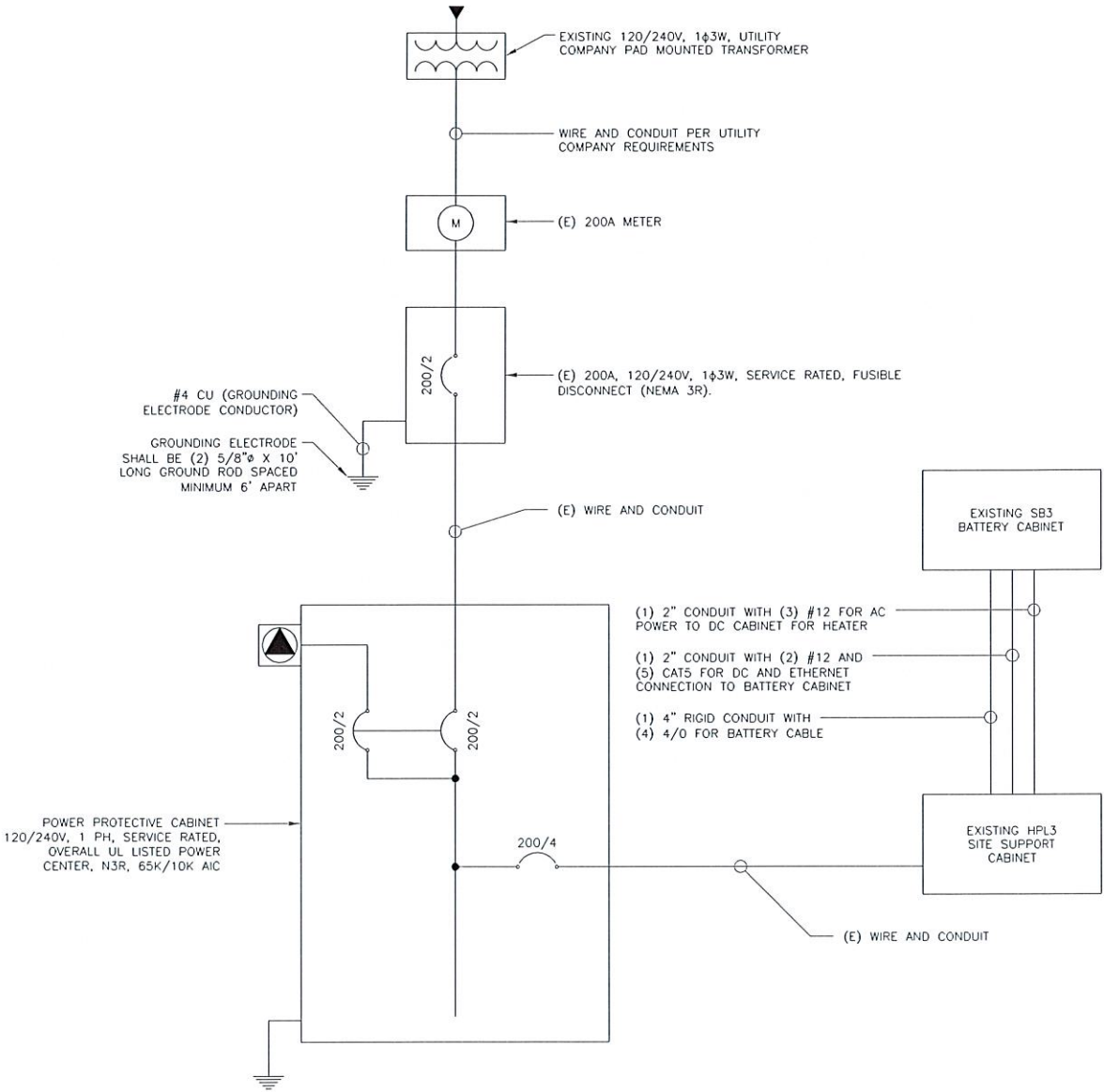
RATED VOLTAGE: ☒ 120/240 ☐ _____ 1 PHASE, 3 WIRE	BRANCH POLES: ☐ 12 ☒ 24 ☐ 30 ☐ 42	APPROVED MFR'S
RATED AMPS: ☐ 100 ☒ 200 ☐ 400 ☐ _____	CABINET: ☒ SURFACE ☐ FLUSH	NEMA ☐ 1 ☒ 3R ☐ 4X
☐ MAIN LUGS ONLY ☒ MAIN 200 AMPS ☒ BREAKER ☐ FUSED SWITCH	☒ HINGED DOOR	☒ KEYED DOOR LATCH
☐ FUSED ☒ CIRCUIT BREAKER ☐ BRANCH DEVICES	☐ _____ TO BE GFCI BREAKERS	FULL NEUTRAL BUS
ALL BREAKERS MUST BE RATED TO INTERRUPT A SHORT CIRCUIT ISC OF 10,000 AMPS SYMMETRICAL		

1 EXISTING PANEL SCHEDULE
SCALE: NOT TO SCALE

FINAL PANEL SCHEDULE									
LOAD	POLES	AMPS	BUS		AMPS	POLES	LOAD		
			L1	L2					
SURGE	2	60A	1	2	20A	1	REC		
			3	4					
			5	6					
			7	8					
			9	10					
SSC	4	200A	11	12	20A	1	INVERTER		
			13	14					
			15	16					
			17	18					
			19	20					
			21	22					
			23	24					

RATED VOLTAGE: ☒ 120/240 ☐ _____ 1 PHASE, 3 WIRE	BRANCH POLES: ☐ 12 ☒ 24 ☐ 30 ☐ 42	APPROVED MFR'S
RATED AMPS: ☐ 100 ☒ 200 ☐ 400 ☐ _____	CABINET: ☒ SURFACE ☐ FLUSH	NEMA ☐ 1 ☒ 3R ☐ 4X
☐ MAIN LUGS ONLY ☒ MAIN 200 AMPS ☒ BREAKER ☐ FUSED SWITCH	☒ HINGED DOOR	☒ KEYED DOOR LATCH
☐ FUSED ☒ CIRCUIT BREAKER ☐ BRANCH DEVICES	☐ _____ TO BE GFCI BREAKERS	FULL NEUTRAL BUS
ALL BREAKERS MUST BE RATED TO INTERRUPT A SHORT CIRCUIT ISC OF 10,000 AMPS SYMMETRICAL		

2 FINAL PANEL SCHEDULE
SCALE: NOT TO SCALE



3 ONE-LINE DIAGRAM
SCALE: NOT TO SCALE

T-Mobile

312 ELM STREET, 10TH FLOOR
CINCINNATI, OH 45202

CROWN
CASTLE

1500 CORPORATE DRIVE
CANONSBURG, PA 15317

B+T GRP

1717 S. BOULDER
SUITE 300
TULSA, OK 74119
PH: (918) 587-4630
www.btgrp.com

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OK01296F

BU #: 822901
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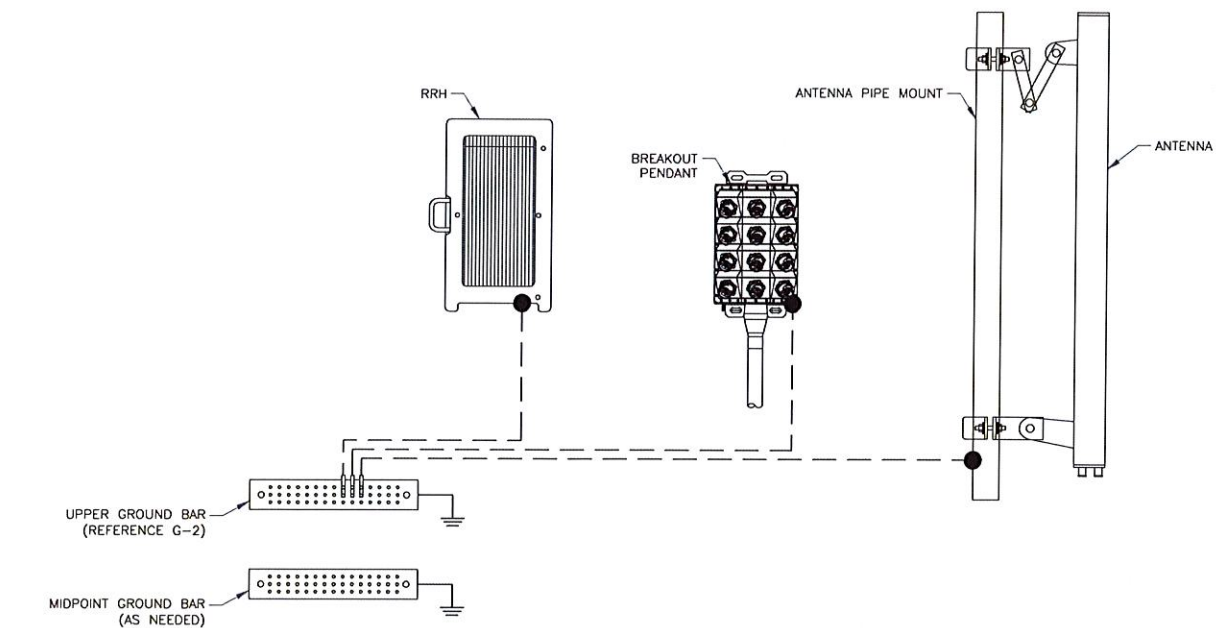
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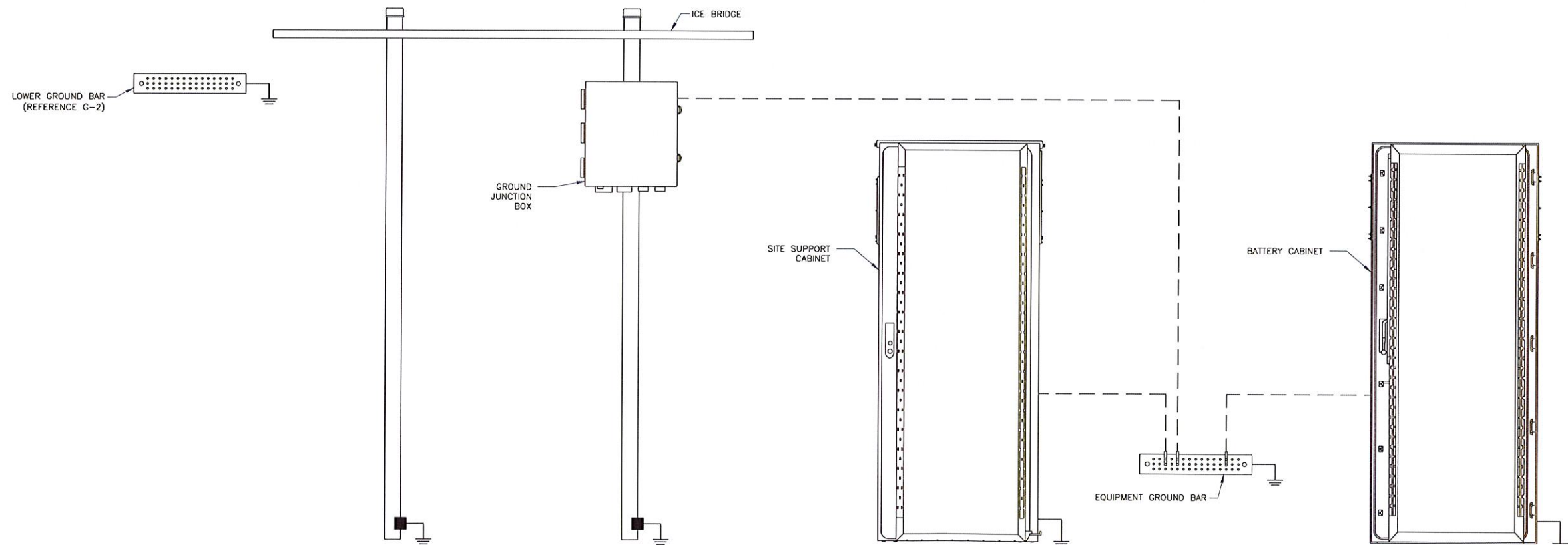
E-1

REVISION:

1



ANTENNA LEVEL
GROUND LEVEL



- GROUNDING PLAN LEGEND:**
- #6 STRANDED COPPER WITH GREEN INSULATION GROUND WIRE
 - #2 STRANDED COPPER WITH GREEN INSULATION GROUND WIRE
 - #2 BARE, SOLID, TINNED COPPER GROUND WIRE
 - EXOTHERMIC WELD
 - MECHANICAL CONNECTION
 - ⊙ COPPER GROUND ROD
 - ⊗ GROUND ROD W/ TEST WELL

NOTE:
SEE FINAL EQUIPMENT PLAN FOR NEW EQUIPMENT REQUIRING GROUNDING. CONTRACTOR TO VERIFY EXISTING EQUIPMENT GROUNDING IN FIELD. CONTRACTOR TO VERIFY IN FIELD AND INSTALL ANY MISSING ##### GROUND BARS ON SITE.

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SHEET NUMBER:

G-1

REVISION:

1

1 TYPICAL FINAL GROUNDING SCHEMATIC
SCALE: NOT TO SCALE



Diagram illustrating the connection of an antenna cable to a ground bar. The diagram shows a cross-section of the antenna cable being connected to a ground bar. The connection is made using a weatherproofing kit, antenna cable, #6 AWG stranded copper ground wire (grounded to ground bar), cable ground kit, and cable connector. The distance from the antenna cable to the ground bar is typically 12" to 24", with a maximum of 120". The diameter of the antenna cable is 2 1/2" max.

Labels in the diagram include:

- WEATHERPROOFING KIT (SEE NOTE 3)
- ANTENNA CABLE
- (TYPICALLY) 12" TO 24"
- 120" MAX.
- #6 AWG STRANDED COPPER GROUND WIRE (GROUNDED TO GROUND BAR). SEE NOTE 1 & 2
- CABLE GROUND KIT
- CABLE CONNECTOR
- 2 1/2" DIA. MAX.

- NOTES:
1. DO NOT INSTALL CABLE GROUND KIT AT A BEND AND ALWAYS DIRECT GROUND WIRE DOWN TO GROUND BAR.
 2. GROUNDING KIT SHALL BE TYPE AND PART NUMBER AS SUPPLIED OR RECOMMENDED BY CABLE MANUFACTURER.
 3. WEATHER PROOFING SHALL BE TWO-PART TAPE KIT, COLD SHRINK SHALL NOT BE USED.

TO ANTENNAS

RX2

TX1/RX1

WEATHERPROOFING KIT (TYP)

GROUND KIT (TYP)

#6 AWG

COPPER/GALVANIZED COAX GROUND BAR BONDED DIRECTLY TOWER

COAX JUMPER (TYP.)

CONNECTOR

WEATHERPROOFING KIT (TYP. SEE NOTE 2)

ANTENNA CABLE TO BTS EQUIPMENT (TYP.)

- NOTES:
1. DO NOT INSTALL CABLE GROUND KIT AT A BEND AND ALWAYS DIRECT GROUND WIRE DOWN TO ANTENNA GROUND BAR.
 2. WEATHER PROOFING SHALL BE TWO-PART TAPE KIT. COLD SHRINK SHALL NOT BE USED.

3/8-11x1" TAMPER RESISTANT BOLT (TYP)

INSULATORS SEE NOTE 2. (TYP)

WALL BRACKET (TYP)

LOCK WASHER P/N M10 (TYP)

UNIVERSAL COPPER GROUND BAR (4"x20")

TWO-HOLE COMPRESSION LUG

- NOTES:
1. DOWN LEAD (HOME RUN) CONDUCTORS ARE NOT TO BE INSTALLED ON CROWN CASTLE USA INC. TOWER, PER THE GROUNDING DOWN CONDUCTOR POLICY QAS-STD-10091. NO MODIFICATION OR DRILLING TO TOWER STEEL IS ALLOWED IN ANY FORM OR FASHION, CAD-WELDING ON THE TOWER AND/OR IN THE AIR ARE NOT PERMITTED.
 2. OMIT INSULATOR WHEN MOUNTING TO TOWER STEEL OR PLATFORM STEEL USE INSULATORS WHEN ATTACHING TO BUILDING OR SHELTERS.

NOTE: MINIMUM OF 3 THREADS TO BE VISIBLE (TYP)

2 HOLE LONG BARREL TINNED SOLID COPPER LUG (TYP)

TIN COATED SOLID COPPER BUS BAR

CHERRY INSULATOR INSTALLED IF REQUIRED

S/S NUT (TYP)

S/S SPLIT WASHER (TYP)

S/S FLAT WASHER (TYP)

S/S FLAT WASHER (TYP)

S/S BOLT (TYP)

-
- Diagram illustrating the connection of a ground conductor to a ground bar using a nut, lock washer, and bolt. The assembly includes a heat shrink (clear) and a grounding conductor. The ground bar is connected to a ground lug (Burndy Two Hole Lug w/ Long Barrel) which is attached to a bare wire (to be no-ox at both ends). The bare wire is connected to a stranded green insulated wire (only for #6 AWG).
- Labels in the diagram include:
- BURNDY GROUND LUG W/ LONG BARREL (SEE CHART)
 - NUT (TYP)
 - LOCK WASHER (TYP)
 - HEAT SHRINK (CLEAR)
 - GROUNDING CONDUCTOR
 - GROUND BAR
 - BOLT (SEE CHART) (TYP)
 - BURNDY TWO HOLE LUG W/ LONG BARREL (SEE CHART)
 - BARE WIRE TO BE NO-OX AT BOTH ENDS
 - STRANDED (GREEN INSULATED) ONLY FOR #6 AWG (SEE CHART)

- NOTES:**
1. ALL GROUNDING LUGS ARE TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS. ALL HARDWARE BOLTS, NUTS, LOCK WASHERS SHALL BE STAINLESS STEEL. ALL HARDWARE ARE TO BE AS FOLLOWS: BOLT, FLAT WASHER, GROUND BAR, GROUND LUG, FLAT WASHER AND NUT.

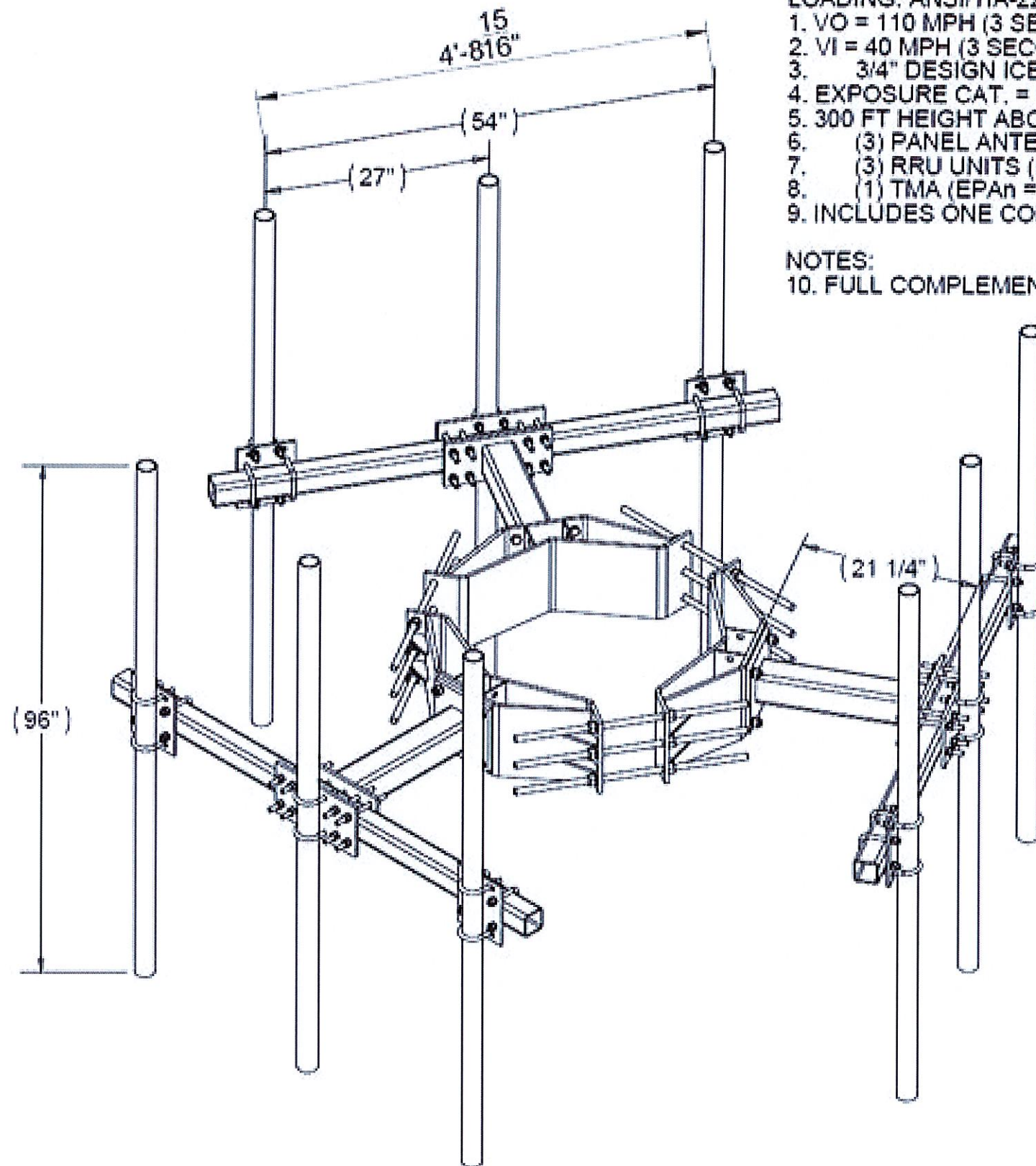
#6 AWG MIN. FROM ANTENNA CABLE GROUND KIT

GROUND BAR ON SHELTER, ICE BRIDGE, OR ON ANTENNA TOWER

*TWO HOLE LUG, OR EXOTHERMIC WELD TO BE USED WITH #2 AWG BARE CONDUCTOR WIRE TO BUILDING SERVICE GROUND OR GROUND RING

The diagram shows a cross-section of a ground bar with two rows of hexagonal terminals. On the left, a cable with four #6 AWG conductors is connected to the first four terminals. On the right, another cable with four #6 AWG conductors is connected to the next four terminals. A bracket above the cables indicates they are from the 'ANTENNA CABLE GROUND KIT'. The ground bar is mounted on a 'GROUND BAR ON SHELTER, ICE BRIDGE, OR ON ANTENNA TOWER'. At each end of the ground bar, a 'TWO HOLE LUG' is attached, which is connected to a '#2 AWG BARE CONDUCTOR WIRE' leading to the 'BUILDING SERVICE GROUND OR GROUND RING'.

1



LOADING: ANSI/TIA-222-G

1. VO = 110 MPH (3 SECOND) BASIC WIND SPEED WITHOUT ICE
2. VI = 40 MPH (3 SECOND) BASIC WIND LOAD SPEED WITH ICE
3. 3/4" DESIGN ICE THICKNESS
4. EXPOSURE CAT. = C. STRUCTURE CLASS = II
5. 300 FT HEIGHT ABOVE GROUND ELEVATION OF MOUNT
6. (3) PANEL ANTENNA'S (EPAn = 9.25 SQFT., EPAs = 3.1 SQFT., 70 LBS EACH)
7. (3) RRU UNITS (EPAn = 2.3 SQ FT., EPAs = 1.2 SQFT., 65 LBS EACH)
8. (1) TMA (EPAn = 1.2 SQFT., EPAs = 0.6 SQFT., 25LBS)
9. INCLUDES ONE CONCENTRATED FORCE OF 250LBS

NOTES:

10. FULL COMPLEMENT OF PIPES SHOWN

SADDLE BRACKET PART NUMBERS:

1. 2121LD-1130 11" TO 30" LD SADDLE BRACKET
2. 2121LD-2447 24" TO 47" LD SADDLE BRACKET
3. 2121LD-4460 44" TO 60" LD SADDLE BRACKET

ITEM NO.	QTY.	PART NO.	DESCRIPTION
1	1	2121LD-XXXX	LD SADDLE BRACKET
2	3	2122S-5	5' MONOPOLE SQ. TUBE T-ARM
3	9	2125-96	2-3/8" OD X96" GALV PIPE

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF ALT. ANY REPRODUCTION IN PART OR WHOLE WITHOUT THE WRITTEN PERMISSION OF ALT IS PROHIBITED. 10/31/2014 FINISH NONE WEIGHT N/A	CAD GENERATED DRAWING. DO NOT MANUALLY UPDATE		800-650-7960 FAX 940-455-2817 www.altfabrication.com sales@altfabrication.com	122 Leesley Lane Argyle, Texas 76226
	APPROVALS	DATE	TITLE	
	DRAWN	TU 06/09/14	2122S-5 WITH 2121LD	
	CHECKED			
	DESIGNED		DWG. NO.	
			2122S-5-XXXX-996	
			SCALE 1/8"	REV. A
			DO NOT SCALE DRAWING	SHEET 1 OF 1

Published in _____ on _____, 2022

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 50 AND CHAPTER 44 OF THE NICHOLS HILLS CITY CODE REGARDING ELECTRIC VEHICLE CHARGING STATIONS AND ELECTRIC VEHICLE PARKING SPACES; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA:

Section 1. Chapter 50, *Zoning*, Article II, *District Regulations*, of the Nichols Hills City Code is hereby amended by the addition of Division 11, with new language underlined, to wit:

DIVISION 11. ELECTRIC VEHICLE CHARGING STATION AND ELECTRIC VEHICLE PARKING SPACE REQUIREMENTS

Sec. 50-600. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Division, except where the context clearly indicates a different meaning:

Charging means that an Electric Vehicle is parked at an Electric Vehicle Charging Station and is connected to the battery charging station equipment and is actively charging.

Electric Vehicle means any motor vehicle registered to operate on public roadways that operates either partially or exclusively on electric energy. Electric Vehicles include battery-powered electric vehicles, plug-in hybrid electric vehicles, electric motorcycles, and electric fuel cell vehicles.

Electric Vehicle Charging Level means the electrical force, or voltage, at which an Electric Vehicle's battery is recharged. Levels 1, 2, 3 Electric Vehicle charging levels include the following specifications: (1) Level 1 is slow charging, providing voltage ranging from 0 to 120 volts; (2) Level 2 is medium charging, providing voltage greater than 120 volts and up to 240 volts; and (3) Level 3 is fast or rapid charging, providing voltage greater than 240 volts, also referred to as Direct Current Fast Charging (DCFC).

Electric Vehicle Charging Station means a public or private parking space that is served by battery charging equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an Electric Vehicle. Electric Vehicle Charging Stations are Accessory Structures.

Electric Vehicle Parking Space means any marked parking space in the Multiple-Family and Commercial Zoning Districts that identifies the use to be exclusively for an Electric Vehicle and that provides an Electric Vehicle Charging Station. Electric Vehicle Charging Stations are Accessory Uses.

EV-Ready Parking Space means a designated parking space for future dedicated Electric Vehicle Charging Station(s).

Sec. 50-601. Permits required to install Electric Vehicle Charging Stations.

Electric Vehicle Charging Stations may not be installed in any Zoning District until a permit therefor has been issued by the City Manager or his designee in accordance with this Division.

Sec. 50-602. Application for permit to install Electric Vehicle Charging Station.

Persons wishing to install an Electric Vehicle Charging Station shall file a written application for a permit to do so on an application form supplied by the City Clerk. Applications must be certified by the owner(s) of the property. The following attachments (the details of which are stated in the application form) and all other information required by the application form, must accompany the application:

- (a) For installation of all Electric Vehicle Charging Stations:
 - (1) A site plan showing the project address, scope of work, property lines, location of the proposed Electric Vehicle Charging Station, and location of electrical meter panel.
 - (2) Construction documents showing the size (height, width, and depth) of the proposed Electric Vehicle Charging Station with an electrical plan showing the location of new and existing meter or sub meter, charge controller, wire sizing, and routing.
 - (3) Information stating the existing panel rating (if any) and the proposed charging load.
- (b) For installation of Electric Vehicle Charging Stations in the Single-Family and Two-Family Residential Zoning Districts:
 - (1) All of the information required by subsection (a) of this Section.
 - (2) A site plan as required by subsection (a) of this Section that also indicates the footprint of the subject residence with the location of garage and proposed parking spot for use with the Electric Vehicle Charging Station identified.

- (3) A screening plan showing how the Electric Vehicle Charging Station will be screened from view if proposed for placement outside.
- (c) For installation of Electric Vehicle Charging Stations in the Multiple-Family Residential Zoning Districts and Commercial Zoning Districts:
 - (1) All of the information required by subsection (a) of this Section.
 - (2) A site plan as required by subsection (a) of this Section that also indicates the proposed location of Electric Vehicle Parking Space(s) and proposed Electric Vehicle Charging Station(s) and location of accessible parking spots.

The application will be considered officially submitted and filed only after it is examined by the Code Official or his designee and found to be complete. Installation of the Electric Vehicle Charging Station may not be commenced until an Electric Vehicle Charging Station Permit has been issued by the City.

Sec. 50-603. Application fee for Electric Vehicle Charging Station Permit.

A nonrefundable fee in the amount established in the City Fee Schedule must be paid to the City by the applicant with submission of the application for an Electric Vehicle Charging Station Permit.

Sec. 850-604. Code Official review; issuance of Electric Vehicle Charging Station Permit.

The Code Official or his designee shall assess the application. An Electric Vehicle Charging Station Permit shall be issued by the Code Official or his designee if he finds that the applicant has complied with all of the applicable provisions of this Division. The permit will be valid for six months from the date of issuance.

Sec. 50-605. Revocation of Electric Vehicle Charging Station Permit.

The Code Official shall have the power to revoke any Electric Vehicle Charging Station Permit upon determination by the City of any material departure from compliance the plans and specifications submitted to the City with the Application or of any false statements or representations as to material fact relating to the installation of the Electric Vehicle Charging Station.

Sec. 50-606. Construction standards for Electric Vehicle Charging Stations in all Zoning Districts.

Electric Vehicle Charging Stations installed on any property within the City must comply with the installation standards and requirements in this Section regardless of Zoning District classification, as follows.

(a) Installation must comply with applicable laws and standards. All Electric Vehicle Charging Stations must comply with and be installed in accordance with applicable law, including the National Electric Code, the International Codes as adopted by the City, and the then-current Standard for Installing and Maintaining Electric Vehicle Supply Equipment as published by the National Electrical Contractors Association. Further, each Electric Vehicle Charging Station and all of its component parts must meet applicable health and safety standards imposed by the State and the City. The City recognizes that new technologies may be developed in the future related to Electric Vehicles. It is the City's intent that installation of all Electric Vehicle Charging Stations in the City and the manufacture of such stations installed in the City comply with the highest and best installation standards then in effect as stated in applicable law and published standards.

(b) Signage. All Electric Vehicle Charging Stations must be readily identifiable with appropriate safety warning signage as required by applicable law and as approved by the Code Official, including a statement of the voltage and amperage levels;

(c) Waterproofing of electric lines. All electric lines associated with an Electric Charging Stations must be waterproofed as required by the Code Official.

(d) Depth of electric lines. All electric lines associated with an Electric Charging Stations must be buried to a sufficient depth to protect them from interference with surface digging or landscape maintenance, with a minimum depth of 24 inches.

(e) Identification of circuit breakers. The circuit breakers or circuit breaker spaces for all Electric Vehicle Parking Spaces must be clearly identified in the panelboard director and the termination point for the space.

(f) Service source capacity. The source for service to the Electric Vehicle Charging Stations must provide an adequate capacity for the load served. For Electric Vehicle Charging Level 3 and greater, the applicant must provide proof satisfactory to the Code Official that the capacity is adequate for the proposed service, which may include a letter from the electric company that the proposed Electric Vehicle Charging Station will not negatively impact the electric supply to neighboring properties.

(g) Conditions on issuance of permits. The Code Official is authorized to impose conditions on issuance of Electric Vehicle Charging Station Permits to address health and safety concerns.

(h) Inspection. All construction or work for an Electric Vehicle Charging Station for which a permit is required shall be subject to inspection by the Code Official. Such work must remain accessible and exposed for inspection purposes until approved by the Code Official.

Sec. 50-607. Additional construction standards and requirements for Electric Vehicle Charging Stations in the Single-Family and Two-Family Residential Zoning Districts.

In addition to meeting the applicable construction standards and requirements set out in Section 50-606, all Electric Vehicle Charging Stations installed in the E-1 Estate District, the E-2

Urban Estate District, the R-1-75 Single-Family Residential District, the R-1-60 Single-Family Residential District, and the R-2 Two-Family Residential District, must meet the following standards and requirements:

(a) *Private use; permitted Charging Levels.* Electric Vehicle Charging Stations must be designed so as to serve only the occupants of the dwelling and only at the Level 1 or Level 2 Charging Levels. Electric Vehicle Charging Stations at the Level 3 Charging Level or greater are prohibited.

(b) *Screening requirements.* All equipment associated with Electric Vehicle Charging Stations located outside a garage must be screened from view from the public street and from the view of abutting property owners. Such screening may consist of a combination of stone or masonry walls, evergreen landscaping, landscape rocks or other methods approved by the Code Official.

(c) *Recommended location.* While not required, it is recommended that Electric Vehicle Charging Stations located inside a garage be appropriately insulated. Location of the Electric Vehicle Charging Station in air-conditioned space is preferable for the life of the equipment.

Sec. 50-608. Additional construction standards and requirements for Electric Vehicle Charging Stations and Electric Vehicle Parking Spaces in the Multiple-Family Residential Zoning District and the Commercial Zoning Districts.

In addition to meeting the applicable construction standards and requirements set out in Section 50-606, all Electric Vehicle Charging Stations and the associated Electric Vehicle Parking Spaces installed in the R-3 Multiple-Family Residential District, the U-4 Church District, the C-1 Office District, and the C-2 Retail Business District must meet the following standards and requirements:

(a) *Charging Level.* Electric Vehicle Parking Spaces must, at a minimum, be equipped with an Electric Vehicle Charging Station rated at Electric Vehicle Charging Level 2.

(b) *No impediments or safety hazards.* Electric Vehicle Parking Spaces must be designed and located so as not to impede pedestrian and bicycle movement and so as not to create safety hazards on sidewalks. Equipment mounted on pedestals, lighting posts, bollards or other devices must be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.

(c) *Signage.* Signage must be installed for each Electric Vehicle Charging Station stating: (1) any time of use restrictions and fees for use payable to the property owner; and (2) that the parking space is reserved for parking and charging of Electric Vehicles.

(d) *Accessibility – ADA compliance.* Electric Vehicle Parking Spaces must be designed and located so as not to interfere with accessibility. A minimum of one Electric Vehicle Parking Space must be located adjacent to a required accessible parking space such that the Electric Vehicle Charging Station can be shared between an accessible parking space and the Electric Vehicle Parking Space. A minimum of a five-foot wide accessway must be provided by the accessible

Electric Vehicle Parking Space if the accessway is not already provided as part of the planned accessible parking space.

(e) Equipment standards and protection. Battery charging station outlets and connector devices may be no less than 36 inches and no higher than 48 inches from the surface where mounted. Adequate battery charging station protection, such as concrete-filled steel bollards, shall be used. Curbing may be used in lieu of bollards, if the charging station is setback a minimum of 24 inches from the face of the curb.

(f) Size. Electric Vehicle Parking Spaces must be standard size parking stalls.

Sec. 50-609. Required maintenance of Electric Vehicle Charging Stations.

Electric Vehicle Charging Stations must be maintained in good condition in all respects, including the functioning of the equipment, by the property owner. Removal of any required Electric Vehicle Charging Stations is prohibited. A phone number or other contact information must be provided on the equipment for reporting when the equipment is not functioning, or other problems are encountered.

Sec. 50-610. Requirements for Electric Vehicle-readiness for new development in the Multiple-Family Residential Zoning District and the Commercial Zoning Districts.

New construction in the R-3 Multiple-Family Residential District, the U-4 Church District, the C-1 Office District, and the C-2 Retail Business District that includes new parking associated with the construction may be required to provide EV-Ready Parking Spaces if so determined by the Code Official, in which case the Code Official will determine the number of required spaces. If required, such spaces will be counted toward meeting the overall parking requirement for the project.

Secs. 50-611—50-625. Reserved.

Section 2. Chapter 44, *Traffic and Motor Vehicles*, Article IV, *Stopping, Standing and Parking*, of the Nichols Hills City Code is hereby amended by the addition of Division 3, with new language underlined, to wit:

DIVISION 3. ELECTRIC VEHICLE PARKING SPACES

Sec. 44-195. Definitions.

The terms Charging, Electric Vehicle and Electric Vehicle Parking Spaces used in this Division are defined in Section 50-141.

Sec. 44-196. Use of Electric Vehicle Parking Spaces in the Multiple-Family Residential Zoning District and the Commercial Zoning Districts.

When a sign provides notice that a parking space is a designated Electric Vehicle Parking Space for an Electric Vehicle Charging Station in the R-3 Multiple-Family Residential District, the U-4 Church District, the C-1 Office District or the C-2 Retail Business District, it is a public nuisance for any person to: (1) park a nonelectric vehicle in such space; or (2) park an Electric Vehicle in such space when that vehicle is not plugged in and properly receiving a charge or is not subject to payment to the provider of the space. In each case, such nuisance is subject to abatement by the City, including removal and impoundment of the vehicle and fines.

Section 3. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Section 5. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, and therefore an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2022.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2022.

ATTEST:

Mayor

City Clerk

Reviewed as to Form and Legality:

City Attorney

Published in _____ on _____, 2022

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 8-28 OF THE NICHOLS HILLS CITY CODE REGARDING THE CITY'S ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA:

Section 1. Section 8-28 is hereby amended, with deleted language stricken through and new language underlined, to wit:

Sec. 8-28. Adoption of International Residential Code.

(a) That certain document, three copies of which are on file in the office of the City Clerk, being marked and designated as the International Residential Code, ~~2015~~ 2018 Edition, as published by the International Code Council, as modified and adopted by the State of Oklahoma in Chapter 20, Adopted Codes, of Title 748, Oklahoma Uniform Building Code Commission, of the Oklahoma Administrative Code, is hereby adopted as the residential code of the City for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said residential code on file in the office of the State of Oklahoma are hereby adopted and by reference made a part hereof, as if fully set out in this Article, with the additions, insertions, deletions, and changes, prescribed in subsection (b) of this Section. The City Clerk shall keep copies of such Code for distribution or sale to the public at approximate cost.

(b) The following sections of the ~~2015~~ 2018 edition of the International Residential Code adopted in this Article are hereby revised as follows:

Section R-101.1 Title. Insert "City of Nichols Hills, Oklahoma" in place of "(Name of Jurisdiction)." Add the following at the end of this Section: "All references to "this Code" mean this Code as modified and adopted by the State of Oklahoma and as further modified and adopted by the City."

Section R102.2 Other laws. Add the following at the end of this Section: “In the event of a conflict between this Code and another provision(s) of the Nichols Hills City Code, the Nichols Hills City Code will govern.”

Section R105.2 Work exempt from permit. Under word “Building:” delete items 1, 2, 3, 4, and 5.

Section R105.5 Expiration [of permits] is deleted.

Section R112 Board of Appeals is deleted.

Section R114.1 Notice to owner or the owner’s authorized agent [Stop Work Order]. Add the following at the end of this Section: “Where an emergency exists, the Code Official shall not be required to give a written notice prior to stopping the work.”

Section R202 Definitions. The definition of “Building Official” is changed to read: “*Code Official.* The building superintendent, the building inspector and other City inspectors, together with their authorized assistants, as set out in Section 8-2 of the Nichols Hills City Code. All references to ‘Building Official’ throughout this Code are changed to read ‘Code Official.’”

Section R301.2(1) Climactic and geographic design criteria. ~~Add~~ Insert the following into Table R301.2(1), Climatic and Geographic Design Criteria:

~~Table R301.2(1).~~ Insert

~~“Roof-Ground~~ Snow Load 10;

Wind Speed 90 mph (except for garage doors as provided for in Section 8-29);

Seismic Design Category 2;

Weathering Medium; Frost line depth 18”;

Termite yes, Decay Moderate;

Winter Design Temp 0;

Flood Hazards No.”

Section R401.4 Soil tests. Add the following at the end of this Section: “Notwithstanding the foregoing, geotechnical evaluations of soils signed and sealed by a licensed engineer are required for all new construction of structures of 3000 square feet or more of air conditioned space (including additions of 3000 square feet or more of air conditioned space to existing structures). The recommendations set out in such soils test must be adhered to unless the Code Official approves otherwise.”

Section R506.2.3 Vapor retarder. Revised as follows:

“A 10-mil (0.01 inch; 254 µm) polyethylene or approved vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the concrete floor slab and the base course or the prepared subgrade where a base course does not exist.

Exception: The vapor retarder is not required for the following:

1. Utility buildings and other unheated accessory structures.

2. For unheated storage rooms having an area of less than 70 square feet (6.5m²) and carports.
3. Driveways, walks, patios and other flatwork not likely to be enclosed and heated at a later date.
4. Where approved by the building official, based on local site conditions.

Section N1101.14 (R401.3) Certificate (Mandatory). Adopted as follows:

A permanent certificate shall be completed by the builder or registered design professional and posted on a wall in the space where the furnace is located, a utility room or an approved location inside the building. Where located on an electrical panel, the certificate shall not cover or obstruct the visibility of the circuit directory label, service disconnect label, or other required labels. The certificate shall list the predominate R-values of insulation installed in or on the ceiling/roof, walls, foundation (slab, basement wall, crawl space wall/or floor) and ducts outside conditioned spaces; U-factors for fenestration and the solar heat gain coefficient (SHGC) of fenestration, and the result from any required duct system and building envelope air leakage testing done on the building. Where there is more than one value for each component, the certificate shall list the value covering the largest area. The certificate shall list the types and efficiencies of heating, cooling and service water heating equipment. Where a gas-fired unvented room heater, electric furnace, or baseboard electric heater is installed in the residence, the certificate shall list “gas-fired unvented room heater,” “electric furnace” or “baseboard electric heater,” as appropriate. An efficiency shall not be listed for gas-fired unvented room heaters, electric furnaces or electric baseboard heaters.

As to Additions, this Section applies to extensions or increase in 30 percent or more of the existing air conditioned floor area of the existing residence.

Section P2603.5.1 Sewer depth [Freezing]. Insert “12-(305mm)18” (457.2mm)” in the first place of [NUMBER] and “12-(305mm)18” (457.2mm)” in the second place of [NUMBER].

Section P3008.1 Sewage backflow. Change to read: “Sewage backflow. All new and replacement sanitary sewers shall be protected from sewage backflow by the installation of backwater valves.”

Section 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Section 4. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, and therefore an emergency is hereby declared to

exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2022.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2022.

ATTEST:

Mayor

City Clerk

Reviewed as to Form and Legality:

City Attorney

Published in _____ on _____, 2022

ORDINANCE NO. _____

AN ORDINANCE DELETING SECTION 50-133 OF THE NICHOLS HILLS CITY CODE AND REPLACING IT WITH A NEW DIVISION OF THE CODE REGARDING LANDSCAPING; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA:

Section 1. Section 50-133 of the Nichols Hills City Code is deleted in its entirety and replaced with the following, with new language underlined, to wit:

Chapter 50 – Zoning

Article II, *District Regulations*

Division 8, *Landscaping and Screening Regulations*

Sec. 50-300. Definitions.

Caliper means diameter of a Tree trunk. The term “Caliper” is used for Trees less than 12 inches in diameter. For Trees less than four inches in diameter, it is measured six inches from the ground. For Trees between four inches and 12 inches in diameter, it is measured 12 inches from the ground.

Developed Area means the area of a Lot that is disturbed for the purpose of developing Structures, parking facilities, loading or storage areas, paved access to off-street parking or loading areas or other areas paved with an all-weather material, or Landscaped Areas.

Developer means the legal or beneficial owner of a lot or parcel or any land proposed for development or inclusion in a development.

Evergreen means a plant with foliage that persists and remains green year-round.

Groundcover means an Evergreen or deciduous planting 24 inches or less in height.

Irrigation System means a permanent underground piping and sprinkler head system designed using industry standard methods to provide uniform irrigation coverage over a Landscaped Area.

Landscape means the part of a Building's grounds consisting of structures, including patios, retaining walls, and walkways.

Landscape Plan means the preparation of graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural and manmade features such as plantings, ground and water forms, circulation, walks, structures, and other features to comply with the provisions of Division XIII.

Landscaped Area means any area containing Trees, Shrubs, or Groundcover that are intended to meet the requirements of these regulations.

Mulch means an organic material such as seed hulls, pine needles or Tree bark used to control weed growth, reduce soil erosion, and reduce water loss.

Planting Plan means the preparation of graphic and written criteria of plant placement, plant specification of type, size and spacing, and other features to comply with the provisions of this Division for certain driveway and hardscape changes as provided for in Section 50-311 and for certain Accessory Buildings, Accessory Structures, and Accessory Uses as provided for in Section 50-312. The Planting Plan may be included in a site plan or other construction document.

Privacy Landscaping means Evergreen landscaping that is at least 12 feet in height at the time of planting and sufficiently spaced to provide effective privacy or such other landscaping that sufficiently addresses privacy concerns as determined by the Building Commission or the Code Official, as applicable.

Shrub means a living self-supporting woody deciduous or Evergreen species no less than eight inches in height, and no greater than 15 feet in height, that is ornamental and is full and attractive throughout the year.

Sight Triangle means the area of clear visibility required on a corner to allow for the safe operation of vehicles, pedestrians, and cyclists in the proximity of intersecting streets, driveways, alleys, sidewalks, and bicycle paths. For purposes of determining the required Site Triangle, all distances are to be measured using the curb or if none, along the pavement line. Sight Triangles are calculated by drawing a line along the curb or pavement edge to a point where said line intersects with a similar line on the intersecting street or drive; measuring from that point the required distance for the minimum Sight Triangle; and connecting the two lines at such point to create the base of the triangle.

Significant Tree means any existing Tree with a Caliper of six inches or greater, and in good health. Trees that are materially damaged or diseased will not be deemed to be Significant Trees.

Tree means a living self-supporting woody or Evergreen plant that normally grows to a minimum height of 15 feet, and which has one or several self-supporting stems or trunks and numerous branches.

Sec. 50-301. Purpose of the Landscaping and Screening Regulations.

The purpose of this Division is to establish definitions for landscaping regulations, establish general requirements applicable to all properties in the City, establish specific standards for one- and two-family residential properties, and establish specific standards for all other residential and nonresidential uses in the City.

The City recognizes the values of landscaping in achieving the following goals:

- a. Promote the enhancement of the City's urban forest;
- b. Promote the reestablishment of Vegetation in urban areas for health, ecological, and aesthetic benefits;
- c. Provide new planting in concert with natural vegetation and careful grading;
- d. Encourage the preservation of existing Trees, and especially Significant Trees;
- e. Establish and enhance a pleasant visual character and structure to the built environment, which is sensitive to safety and aesthetics issues;
- f. Promote compatibility between land uses by reducing the visual, noise, and lighting impacts of specific development on users of the site and abutting properties;
- g. Unify development, enhance and define public and private places;
- h. Provide an overall planting scheme that will:
 - (1) reduce soil erosion and the volume and rate of discharge of stormwater runoff;
 - (2) aid in energy conservation by shading and sheltering structures from energy losses caused by weather and wind;
 - (3) mitigate the loss of natural resources;
 - (4) provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character, and value of existing neighborhoods;
 - (5) provide shade, comfort, and seasonal color; and
 - (6) reduce glare, noise, and heat.

It is further recognized that good Landscaping increases property values, attracts potential residents and businesses to the City, and creates a safer, more attractive, and more pleasant living and working environment for all residents and visitors of the City.

These regulations are intended as minimum standards for Landscaping treatment. Owners and Developers are encouraged to exceed this standard in seeking more creative solutions, both for the enhanced value of their land and for the collective health and enjoyment of all citizens of the City.

Sec. 50-302. General landscaping and restrictions for all Zoning Districts.

All properties within the City must comply with the requirements in this Section regardless of Zoning District classification.

(a) *Landscaping is required in all front yards.* All front yards must be landscaped, except walkways, parking, pertinent equipment, drainage utilities, and other allowed hardscape. Such landscaping must consist of a combination of living vegetation, such as Trees, Shrubs, grasses or Groundcover materials, planted and maintained or preserved as existing natural vegetation areas.

(b) *Landscape is required in all visible side yards.* Side yards that are visible from a street or any public way must be landscaped. Not only do they have a visual responsibility to the street, but they are the place where impacts on neighbors must be managed. When designing projects, consideration should be given to neighboring residences and their use of outdoor spaces. Landscaping should be placed to help create a sense of separation and privacy. Equal care should be given to consideration of sunlight and views. Placement of landscaping elements should not substantially disrupt existing patterns.

(c) *Landscape of the public right-of-way is required.* Property owners in all Zoning Districts are responsible for landscaping the area within the street right-of-way between the curb-line and the property line. The type and location of vegetation must not interfere with utilities and the safe and efficient flow of street traffic. No vegetation, except Groundcover and turf, may be planted within three feet of a fire hydrant or above-ground traffic control box.

(d) *Non-paved areas and non-built Developed Areas must be covered with vegetation.* Lawn-quality sod, Evergreen or deciduous Groundcovers, beds with plantings or Mulch must cover all non-paved and non-built Developed Areas.

(e) *Hardscape restrictions.* Hardscape installed in the Landscape must meet the restrictions set out in Section 50-304.

(f) *City Tree List.* The City Tree List of suggested tree species and discouraged tree species for planting in the City is set out in Section 48-2 of this Code.

(g) *Prohibited Trees.* Planting certain Trees is prohibited as set out in Section 48-3 of this Code.

(h) *Artificial turf and synthetic plants.* Artificial turf and all forms of synthetic fibers meant to look like natural grass and all synthetic plants are prohibited in the front yards of Dwellings in the Residential Zoning Districts. Artificial grass and all forms of synthetic plants are prohibited in all landscapes in the Church District, the Office District, and the Retail Business District. This restriction does not apply to manholes which may be covered with artificial turf or other synthetic fibers meant to look like natural grass.

(i) *Minimum Sight Triangles may not be reduced.* Nothing in this Division permits reduction of required Minimum Sight Triangles. The minimum Sight Triangles are 25 feet for street intersections and 20 feet for all driveways and alley access points. Plantings within a required Site Triangle may not exceed a height of 24 inches.

(j) *Distances from curbs and sidewalks; street corners and fire hydrants.* Trees must be planted no closer than the permitted distances to curbs, sidewalks, street corners, and fire hydrants, as set out in Section 48-39 and Section 48-40 of this Code.

(k) *Significant Trees should be preserved and protected.* The City encourages the preservation of Significant Trees. Property owners should take all steps necessary to reasonably preserve and protect Significant Trees.

(l) *Chapter 48 Standards for Landscape Service.* Landscape Servicemen must perform work in compliance with the Standards for Landscape Service set out in Chapter 48 which include standards for Tree and Vegetation care. All Owners are further encouraged to utilize such standards when caring for their Trees and Vegetation.

(m) *Privacy Landscaping.* In addition to the requirements for Privacy Landscaping that may be required by the Building Commission in its review process, the Code Official is authorized to require Privacy Landscaping to address privacy concerns raised by adjoining property owners.

(n) *Required sod after Building removal or demolition.* Lawn-quality sod must be installed, watered, and maintained after removal or demolition of a Building in compliance with Section 8-380 or Section 50-132, as applicable.

Sec. 50-303. Screening requirements for outdoor storage and service areas.

Outdoor storage and service areas that are visible from a street or any public way must be screened with landscaping or fencing. Screening must consist of one or both of the following methods:

- (a) *Evergreen Shrubs that will reach a mature height of at least five feet and spaced in a manner to achieve a consistent visual screen.*

- (b) An opaque wall or fence.

Sec. 50-304. Hardscape restrictions.

(a) Front yard hardscape. No hardscape is permitted in the front yard of a Dwelling other than a maximum of two entrance drives and if applicable, a City-provided sidewalk. A circular drive may not encroach on the right-of-way except at the two street access points.

(b) Rear yard hardscape. No more than ____ % of the rear yard may be covered with hardscape. **[TBD]**

(c) Hardscape in the rights-of-way. The public right-of-way may not be hardscape surfaced, other than a permitted driveway or sidewalk; and these areas may not be used for parking, including inset parking (meaning a vehicle parking area created by removal of a curb or extending the width of the street surface along the frontage of a property to permit parking or standing of vehicles, including parallel, perpendicular and angled configurations) or display in any Zoning District.

Sec. 50-305. Landscape maintenance requirements for all Zoning Districts.

All properties within the City must comply with the requirements in this Section regardless of Zoning District classification. In addition to the applicable requirements regarding property maintenance set out in Chapter 8, it shall be the responsibility of property owner(s) to:

(a) Maintain Trees and Vegetation as set out in Chapter 48 of this Code, including keeping overhead lines, utility lines and traffic ways clear and keeping Trees and Vegetation from overhanging Streets and interfering with light and visibility as set out in Section 48-35 and Section 48-36.

(b) Cause all Landscape Service to be performed by Landscape Servicemen in compliance with the Standards for Landscape Service and other requirements set out in Chapter 48 of this Code.

(c) Remove all dead, diseased or dangerous Trees or Shrubs within 30 days and remove all storm-destroyed Trees within 30 days of the storm occurrence in accordance with Section 48-37.

(d) Treat all diseased or insect infested vegetation, as required by Section 48-38.

(e) Keep all Trees and other vegetation free of bagworms, as required by Section 48-41.

(f) Maintain and keep all sight-proof screening and fencing in good repair at all times.

(g) Maintain landscaping by keeping lawns mowed, all plants properly groomed and maintained as disease-free, and all planting beds groomed.

(h) Maintain all plant material in compliance with the minimum requirements of this Division, in a healthy condition at the time of planting.

(i) Replace any planting(s) that were necessary to meet the requirements for a Certificate of Approval from the Building Commission or a Building Permit that are removed, diseased, or are no longer living, within one year or in the first planting season, whichever occurs first, except those in naturally occurring dense growths of Shrubs or undergrowth that were not disturbed during construction.

(j) Maintain lawn-quality sod, other Groundcovers, and/or planting beds with all planting installed and/or Mulch on all non-paved and non-built Developed Areas. Turf grass must be planted, seeded or re-seeded as necessary, watered and maintained in such a manner as to completely cover all exposed areas of soil after one full growing season.

(k) Maintain all required Privacy Landscaping installed to address privacy concerns as to adjoining properties.

Sec. 50-306. Rights of Public Utility Companies and the City.

Nothing in this Division affects in any way the rights of, or exercise by, any Public Utility or City department of its present and future acquired rights to clear Trees and other growth from lands used by the public utility or the City. The utility shall cooperate and coordinate with the property owner when clearing or pruning in the rights-of-way or easements on or adjacent to the property.

Sec. 50-307. Landscaping requirements for construction in the one- and two-family residential zoning districts.

Construction in the E-1 Estate District, the E-2 Urban Estate District, the R-1-75 Single-Family Residential District, the R-1-60 Single-Family Residential District, and the R-2 Two-Family Residential District that requires a Certificate of Approval from the Building Commission must meet the applicable requirements and restrictions set out in Section 50-167 and the provisions applicable for the project set out below.

(a) *Requirements related to construction of new Main Buildings and Secondary Buildings.* All construction of new Main Buildings and new Secondary Buildings must include landscaping in the front yard and side yards as an integral part of its design set out in a Landscape Plan meeting the requirements of Section 50-310. Privacy Landscaping may also be required in the rear yard to address privacy concerns. All such projects must be landscaped with Trees, Shrubs, and green areas meeting the requirements set out in this Division.

(b) *Requirements related to construction of Additions.*

(1) Additions in front and side yards. All construction of Additions in the front yard and side yard must include landscaping in the front yard and side yards as an integral part of its design set out in a Landscape Plan meeting the requirements of Section 50-310; provided however, such additional landscaping for an Addition may not be required if the property meets or exceeds the required Landscape Points. In order to make a recommendation whether additional landscaping will be required for such projects, the Code Official will coordinate a meeting with two Building Commissioners, at which meeting the Commissioners will offer a recommendation as to whether the City should require additional landscaping for the proposed Addition. The Code Official will consider such recommendation in making a determination and instruct the applicant accordingly.

(2) Additions in rear yards. If construction of a rear yard Addition will be visible from a street or any public way, it must include landscaping in the rear yard as an integral part of its design set out in a Landscape Plan meeting the requirements of Section 50-310. Otherwise, additional landscaping for rear yard Additions is not required.

(c) Required Landscape Points. The Landscape Plan required by this Section must meet or exceed 33 Landscape Points for every 1000 square feet of front yard and side yard, with a minimum of 300 Landscape Points. Landscape Point values are set out in Section 50-308. For the purpose of determining the required number of Landscape Points, the following apply for calculation:

- (1) The front yard and side yard square footage includes all paving and hardscape.
- (2) The area between the curb and the lot line is treated as Landscaped Area.

In creating the Landscape Plan, the applicant should: (1) calculate the required Landscape Points for the project; (2) determine the percentages and location of plantings, quantity, type, and size of plant materials needed to meet the Landscape Point requirements; (3) develop a Landscape Plan that meets the Landscape Point requirements and that shows the calculation of those Landscape Points on it. The City has available a calculation sheet available for assistance in calculating Landscape Points. In addition, the Nichols Hills Building Commission Building Demolition, Design, and Construction Guidelines contain several examples of Landscape Points for the single-family and two-family residential districts.

(d) Tree requirements. A minimum of one Tree with a minimum Caliper of three inches is required for every 2000 square feet of front yard and side yard. Such Trees will count toward the required number of Landscape Points. Existing trees, including

Significant Trees, in the rear yard may not be counted toward the required Landscape Points.

(e) *Existing Significant Trees.* Significant Trees should generally be preserved and protected. The Developer will be required to provide an acceptable rationale for the proposed removal of any Significant Trees on the property.

- (1) *Landscape Points available.* In order to encourage the preservation of the City's older Trees, credits toward the required Landscape Points may be claimed for any Significant Tree located in the front yard or side yard that will be preserved through protection from possible impacts of construction. No more than 50% of the required Landscape Points may be attributed to Significant Trees. Significant Trees in the rear yard may not be counted toward Landscape Points. However, efforts should be made to retain any Significant Trees in the rear yard and to maintain their health during any construction, as required by Section 50-167(12).
- (2) *Significant Tree health.* In its discretion, the Building Commission may require a report from a qualified professional (i.e. Urban Forester, Certified Arborist) following guidelines established by the International Society of Arboriculture that any Significant Tree claimed for credits toward the required Landscape Points is in good health.
- (3) *Significant Trees in the Right-of-Way.* No more than 25% of the total points for Significant Trees may be located within the public rights-of-way.
- (4) *Site Plan and Significant Tree protection requirements.* All Site Plans must clearly show any Significant Trees that are intended to be preserved and state how the Trees will be impacted and protected during construction. The Building Commission may require that any Significant Trees be preserved and protected during the construction process.
- (5) *Significant Trees that later die.* Any Significant Tree claimed for Landscape Points that dies during construction or as a result of construction, must be replaced with a Tree (or Trees) to equal or exceed the point of value of the lost Tree.

(f) *Privacy Landscaping to address privacy concerns.* The Building Commission may require Privacy Landscaping in all parts of a project, including the rear yard, to address privacy concerns. Privacy Landscaping required by the Building Commission will not be counted toward the required number of Landscape Points.

(g) *Irrigation Systems.* Irrigation Systems in compliance with Chapter 48 are required for all construction of Main and Secondary Buildings and Additions to Main and Secondary Buildings (except Minor Additions).

(h) Combination of plantings. Most any combination of plantings may be used to obtain the necessary number of Landscape Points provided that such combination otherwise complies with this Division. Different lots and landscapes will lend themselves to different types of plantings. The Building Commission encourages creativity and diversity in landscaping.

(i) Landscaping installation required for occupancy. The City will not issue a Certificate of Occupancy for a Structure until landscaping and the Irrigation System have been installed in accordance with the filed Landscape Plan; provided, however, that if a Structure and all its site improvements are complete except for the landscaping requirements and the season of the year will not permit planting, temporary occupancy may be permitted until a date certain in the growing season. In such case, the City will set a future inspection date to determine that the landscaping has been installed for issuance of a permanent Certificate of Occupancy.

Sec. 50-308. Landscape Point values for new construction in the one- and two-family residential zoning districts.

Following are the Landscape Point Values for various plantings. The City Tree List, set out in Section 48-2, provides a list of small, medium, and large Trees suggested for planting in the City.

<u>LANDSCAPE POINT VALUES FOR VARIOUS PLANTINGS</u>			
<u>Type of Plant Material</u>	<u>Minimum Size (at time of planting)</u>		<u>Point Value</u>
	<u>Deciduous Trees</u>	<u>Evergreen Trees</u>	
<u>Large Tree</u>	<u>8-inch or greater Caliper</u>	<u>22 ft. and over</u>	<u>26</u>
	<u>7-inch Caliper</u>	<u>19—21 ft. height</u>	<u>24</u>
	<u>6-inch Caliper</u>	<u>16—18 ft. height</u>	<u>22</u>
	<u>5-inch Caliper</u>	<u>13—15 ft. height</u>	<u>20</u>

	<u>4-inch Caliper</u>	<u>11—12 ft. height</u>	<u>18</u>
	<u>3-inch Caliper</u>	<u>9—10 ft. height</u>	<u>15</u>
<u>Medium Tree</u>	<u>2-inch Caliper</u>	<u>7—8 ft. height</u>	<u>12</u>
<u>Small Tree</u>	<u>Single Trunk: 1-inch Caliper</u>	<u>5—6 ft. height</u>	<u>9</u>
<u>Ornamental Tree</u>	<u>Multiple Trunk (minimum 3 trunks): Smallest trunk 1-inch Caliper</u>	<u>5—6 ft. height</u>	<u>9</u>
<u>Large Shrub/Perennial</u>	<u>5 gallon and 24-inch height at planting</u>		<u>3</u>
<u>Medium Shrub/Perennial</u>	<u>3 gallon and 12-inch height at planting</u>		<u>2</u>
<u>Small Shrub/Perennial</u>	<u>2 gallon and 8-inch height at planting</u>		<u>1</u>
<u>Groundcover/Perennial</u>	<u>1 gallon 4-inch pots</u>		<u>½</u> <u>¼</u>
<u>Existing Significant Tree</u>	<u>6-inch Caliper (Guideline B-8.10 Existing Tree Credits)</u>		<u>22 to 50</u>

- A minimum of 25 percent of required Landscape Points must be used for Evergreen plantings.
- A maximum of 15 percent of required Landscape Points may be used for perennial plantings.
- A maximum of 50 percent of required Landscape Points may be attributed to Significant Trees in the Developed Area.

Landscape points may be applied for each existing Significant Tree of the following sizes:

<u>POINTS FOR EXISTING SIGNIFICANT TREES</u>	
<u>SIZE</u>	<u>LANDSCAPE POINTS APPLIED</u>
<u>6 inch Caliper</u>	<u>22</u>
<u>7 inch Caliper</u>	<u>24</u>
<u>8 inch to 10 inch Caliper</u>	<u>26</u>
<u>10.1 inch Caliper to 15 inch DBH</u>	<u>30</u>
<u>15.1 inch to 20 inch DBH</u>	<u>35</u>
<u>20.1 inch to 25 inch DBH</u>	<u>40</u>
<u>Over 25 DBH</u>	<u>50</u>

DBH = diameter at breast height

Sec. 50-309. Landscaping requirements for new construction in the Multiple-Family Residential Zoning District and the Commercial Zoning Districts.

In addition to meeting the applicable requirements and restrictions set out in Section 50-167, all construction in the R-3 Multiple Family Residential Zoning District, the U-4 Church District, the C-1 Office District, and the C-2 Retail Business District that requires a Certificate of Approval from the Building Commission must include landscaping as an integral part of its design. Privacy Landscaping may also be required in the rear yard to address privacy concerns. All such projects must be landscaped with Trees, Shrubs, and green areas according to the following standards.

(a) *Required area to be landscaped.* The public right-of-way between the property line and the curb and not less than six percent of the total area of the lot must be landscaped. At least 75 percent of the required Landscaped Area must be in the front yard or side yards and visible from a street or any public way providing access to the property.

(b) *Landscape Plans required.* Each application for a Certificate of Approval from the Building Commission and for a Building Permit must be accompanied by a Landscape Plan meeting the applicable requirements of Section 50-310.

(c) *Required Landscape Points.* The Landscape Plan must meet The City of Oklahoma City's planting requirements (including frontage Tree requirements) and the required number of points (including site points and parking lot points, as applicable).

(d) *Existing Significant Trees.* Significant Trees should generally be preserved and protected. All Site Plans must clearly show any Significant Trees that are intended to be preserved and state how the Trees will impacted and protected during construction. The Developer will be required to provide an acceptable rationale for the proposed removal of any Significant Trees on the property. The Building Commission may require that any Significant Trees be preserved and protected during the construction process.

(e) *Privacy Landscaping to address privacy concerns.* The Building Commission may require Privacy Landscaping in all parts of a project, including the Rear Yard, to address privacy concerns. Privacy Landscaping required by the Building Commission will not be counted toward the required number of Landscape Points.

(f) *Irrigation Systems.* Irrigation Systems in compliance with Chapter 48 are required for all construction of Main and Secondary Buildings and Additions to Main and Secondary Buildings (except Minor Additions).

(g) *Gravel and chat prohibited.* The use of gravel or chat as Groundcover is prohibited.

(h) *Landscaping installation required for occupancy.* The City will not issue a Certificate of Occupancy for a Structure until landscaping and the Irrigation System have been installed in accordance with the filed Landscape Plan; provided, however, that if a Structure and all its site improvements are complete except for the landscaping requirements and the season of the year will not permit planting, temporary occupancy may be permitted until a date certain in the growing season. In such case, the City will set a future inspection date to determine that the landscaping has been installed for issuance of a permanent Certificate of Occupancy.

Sec. 50-310. Specifications for Landscape Plans.

Landscape Plans must be prepared by a qualified landscape architect or landscape designer and must meet the applicable required number of Landscape Points. Landscape Plans must include the following information:

(a) *The address of the property and its owner.*

(b) *The name, address, and contact information of the landscape architect or landscape designer that prepared the Landscape Plan.*

(c) *North arrow and scale.*

(d) The location of existing property lines and dimensions of the tract, accurately drawn to scale.

(e) Exact locations and outline of all rights-of-way.

(f) The location of all existing and proposed buildings, and parking areas, if any, including the exact number of parking spaces provided.

(g) The location and size of any permanent fixture or structure including sidewalks, walls, fences, trash enclosures, project storage, lighting fixtures, signs, and benches, that are relevant to the Landscape Plan.

(h) The location, size, and type of all above-ground and underground public utilities with notation, where appropriate, as to any safety hazards to avoid during installation of landscaping. Alternatively, a letter of no objection provided by the utility company may be required.

(i) The location, size, type, spacing (on center), and quantity of all proposed plant materials and existing plant materials credited for points must be graphically represented and referenced on the plan by a common name and/or scientific name or an appropriate key of all plant species.

(j) The method of irrigation and area of coverage must be indicated.

(k) All screening required by this Code.

(l) A table listing the square footage of the front and side yards and all plant materials by scientific and common name, size, type, quantity, and point value and totals.

(m) Identification of any Sight Triangles at intersections and all other elements related to traffic control required by this Code.

(n) Calculation of required Landscape Points.

Sec. 50-311. Planting Plans required for certain driveway and hardscape changes.

For construction of an addition to or modification of a driveway or hardscape on that part of a Lot that abuts a street, the application for a Building Permit must be accompanied by a Planting Plan which includes graphic and written criteria of plant placement, plant specification of type, size and spacing, and other features to comply with the provisions of this Division. The Planting Plan will be reviewed as part of the Building Permit review processes. A Building Permit will not be issued until the Planting Plan has been reviewed, approved, and made a part of the Building Permit file.

Sec. 50-312. Planting Plan required for certain Accessory Buildings, Accessory Structures, and Accessory Uses.

For construction of Accessory Buildings, Accessory Structures or Accessory Uses when such Accessory Building, Accessory Structure or Accessory Use is proposed to be located in the rear yard such that it will be visible from a street or any public way, the application for a Building Permit must be accompanied by a Planting Plan for the area between the structure and the abutting property lines showing landscape treatment of the structure that will buffer and mitigate its visual impact on the abutting properties. The Code Official may require additional Privacy Landscaping to address privacy concerns related to construction of the Accessory Building, Accessory Structure or Accessory Use.

Sec. 50-313. Landscape Plans required for residential Planned Unit Developments and developments containing two or more single-family dwellings or duplexes.

A Landscape Plan is required for all new residential Planned Unit Developments and any development, subdivision or lot split that creates building sites for two or more single-family or two-family Dwellings. The Landscape Plan may be divided into a master plan for the total area plus submittal of specific Landscape Plans for individual properties with the application for a Building Permit.

Sec. 50-314. Enforcement of landscaping regulations.

The provisions of this Division shall be enforced by the Code Official, and it shall be unlawful for any person to interfere with or hinder the Code Official and his/her duly appointed representative(s) in the exercise of their duties under this Division. Notwithstanding any provisions contained herein to the contrary, the Code Official and his/her duly appointed representative(s) are hereby granted the authority to issue immediate citations to persons violating any provision of this Division.

Sec. 50-315. Nuisance declared; violation.

Any landscape maintained in a manner that is prohibited by this Division is hereby declared to constitute a nuisance. Any person who shall violate any of the provisions of this Division shall also be guilty of an offense, and upon conviction thereof, shall be pushed as provided in Section 1-17. The imposition of penalties hereby proscribed shall not preclude the City from instituting appropriate action to restrain, correct or abate a violation of this Section as provided for in this Code.

Secs. 50-316—50-330. Reserved.

Section 2. Section 50-188 is hereby amended, with deleted language stricken through and new language underlined, to wit:

Sec. 50-188. Building permits.

(c) *Procedures.* Application for a Building Permit shall be made with the Director of Public Works on forms provided by the City. The applicant must have first obtained a Certificate of Approval from the Building Commission for the proposed construction if required by Article V of this Chapter. Administrative review of the application shall begin upon submittal of the complete application and the required application fee. To be considered complete, the following supporting information must accompany the application.

- (1) *For single-family and two-family dwellings.*

- e. ~~A planting plan showing conformance with the landscaping requirements of this chapter.~~ A Landscape Plan as required by Division 6, Article II of this Chapter.

- (2) *For multifamily (three or more), commercial, and public buildings, and all public and private institutional development.*

- c. Two copies of a plot plan, drawn to scale, showing the following information on one or more sheets:

5. ~~A landscaping plan showing conformance with the landscaping requirements of this chapter.~~ A Landscape Plan as required by Division 6, Article II of this Chapter.

Section 3. Section 50-372 is hereby amended, with deleted language stricken through and new language underlined, to wit:

Sec. 50-372. Application for Certificate of Approval.

Applications for Certificates of Approval shall be filed with the City on forms provided by the City Clerk. Two originals and a digital version of the application and all required documents must be submitted. Applications must be certified by the owner(s) of the property. The following attachments (the details for which are stated in the application form), and all other information required by the application form, must accompany the application:

(b) For construction of a new Main or Secondary Building, or construction of an Addition to an existing Main or Secondary Building:

- (7) ~~For new Main or Secondary buildings, a landscaping or planting plan as required by section 50-133. For additions to main or secondary buildings, a landscaping plan or planting plan, as applicable, is required if changes to existing conditions are to be made.~~ A Landscape Plan as required by Division 6 of Article II of this Chapter.

Section 4. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 5. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Section 6. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, and therefore an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2022.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2022.

ATTEST:

Mayor

City Clerk

Reviewed as to Form and Legality:

City Attorney

Published in _____ on _____, 2022

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 50 OF THE NICHOLS HILLS CITY CODE REGARDING THE BUILDING COMMISSION REVIEW PROCESS; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA:

Section 1. Section 50-341 is hereby amended, with deleted language stricken through and new language underlined, to wit:

Sec. 50-341. When Certificates of Approval are required; advance consultation with the City encouraged.

(a) Certificates of Approval issued by the Building Commission are required before application may be made to move or demolish a Building or to construct a Main Building, a Secondary Building or an Addition to a Main or Secondary Building (except Minor Additions as defined in subsection(b)). Further, the Code Official may refer applications for certain alterations to Main or Secondary Buildings to the Building Commission for a Certificate of Approval prior to granting a Building Permit.

(b) *Minor Additions.* Building Commission review is not required for Minor Additions to the first floors of a Main or Secondary Buildings when such Additions are less than or equal to 15% of the total square footage of the existing Building, provided that such Minor Additions shall be allowed only once every ten years. Second and successive Additions within such 10-year period require Building Commission review.

(c) *Façade alterations.* Notwithstanding subsection (b) regarding Minor Additions, a Certificate of Approval is required if the appearance of the façade of a Building on its street-facing side(s) will be altered, and such façade alterations span over 50 lineal feet of the Building or 50% of the façade. A Certificate of Approval pursuant to this subsection is not required for: (1) the removal and replacement of like materials to the façade; nor (2) the application of paint to or removal of paint from the façade, including applying paint to a previously unpainted façade.

(ed) Certificates of Approval are not required to apply for Building Permits for fences, swimming pools, or Accessory Buildings or Structures when such proposed construction is the only work for which the Building Permit is sought. However, the Building Commission shall review proposals for fences, swimming pools, and Accessory

Buildings and Structures that are part of a proposed project that requires a Certificate of Approval.

(~~de~~) It is a violation of this Chapter for any person to move or demolish a Building or to construct a Main Building, Secondary Building, or an Addition to a Main or Secondary Building for which a Certificate of Approval is required until a Certificate of Approval has been obtained from the Building Commission as set out in this Article.

(~~ef~~) While this Article does not require submittal of any documentation prior to formal application for a Certificate of Approval, property owners are encouraged to consult with the City prior to making formal application to become familiar with the policies and requirements set forth in this Article.

Section 2. Section 50-372 is hereby amended, with new language underlined, to wit:

Sec. 50-372. Application for Certificate of Approval.

(b) For construction of a new Main Building or Secondary Building, or construction of an Addition to an existing Main Building or Secondary Building for which a Certificate of Approval is required:

(3) Except as set out in subsection (f), floor plans, renderings, elevation drawings, and other pertinent drawings, with the Centroid determined as set out in Section 50-3 and that determination signed and sealed by a licensed engineer or architect.

(f) Renderings for Additions. Renderings are not required for rear yard Additions that are not visible from the Street or any public way. For construction of an Addition to an existing Main Building or Secondary Building, renderings may be required for front and side yard Additions and for rear yard Additions that are visible from a Street or any public way. In order to make a recommendation, the Code Official will coordinate a meeting with two Building Commissioners, at which meeting the Commissioners will offer a recommendation as to whether the City should require renderings for the project. The Code Official will consider such recommendation in making a determination and instruct the applicant accordingly.

Section 3. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Section 5. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, and therefore an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2022.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2022.

ATTEST:

Mayor

City Clerk

Reviewed as to Form and Legality:

City Attorney