

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL NO. 10

By: Thompson

4
5 AS INTRODUCED

6 An Act relating to counties and county officers;
7 amending 19 O.S. 2011, Section 865.51; modifying
8 purpose; providing method for establishing a county
9 planning and zoning commission; amending 19 O.S.
10 2011, Section 865.52; modifying procedures for
11 establishing a county planning and zoning commission;
12 updating statutory references; and providing an
13 effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 19 O.S. 2011, Section 865.51, is
16 amended to read as follows:

17 Section 865.51. For the purpose of cooperating with the State
18 of Oklahoma in conserving the natural resources of the state, and in
19 promoting the health, safety, peace and general welfare of the
20 people of the state, there may be provided in any county of the
21 State of Oklahoma county planning in the manner herein provided, and
22 for that purpose there is hereby authorized to be created in each of
23 such counties a county planning and zoning commission and a county
24 board of adjustment with the respective powers and duties as set out
in ~~this act~~ Section 865.51 et seq. of this title. In no county

1 shall there be at the same time a county planning and zoning
2 commission established pursuant to this section and a metropolitan
3 area planning and zoning commission established pursuant to ~~Section~~
4 Sections 866.1 ~~of Title 19~~ and ~~Section~~ 863.2 of ~~Title 19 of the~~
5 ~~Oklahoma Statutes~~ this title. Provided that county commissioners
6 may by proper resolution confer authority to any metropolitan area
7 planning commission located in such county for the purposes of
8 planning for unincorporated areas existing in county. Provided
9 further that any county planning and zoning commission created under
10 the provisions of ~~this act~~ Section 865.51 et seq. of this title
11 shall have no jurisdiction over the area covered by any lake area
12 planning and zoning commission in any county created pursuant to
13 Section 866.36 of ~~Title 19 of the Oklahoma Statutes~~ this title.

14 SECTION 2. AMENDATORY 19 O.S. 2011, Section 865.52, is
15 amended to read as follows:

16 Section 865.52. Each county of the state which is hereby
17 authorized to avail itself of the provisions of ~~this act~~ Section
18 865.51 et seq. of this title is hereby authorized to set up a
19 planning and zoning commission by resolution of the board of county
20 commissioners and ~~by a vote of the majority of the people voting a~~
21 county board of adjustment, at the discretion of the board of county
22 commissioners, after public hearings in each district of the county,
23 to adopt zoning regulations, a building code, construction codes and
24 housing codes in accordance with the provisions of Section 865.51 et

1 seq. of this title for all or any part of the unincorporated area
2 within the county, and further provided that such county is hereby
3 granted authority to adopt, amend, extend, add or carry out,
4 throughout the unincorporated area of the county; and by resolution
5 of the governing body of any incorporated city or town in the county
6 without zoning, building, construction or housing codes; additional
7 elements of a comprehensive plan may include, but are not limited
8 to, plans for major streets and highways and other elements of
9 water, rail, air and land transportation plans, public facilities,
10 capital improvement programs, uniform regulations for land
11 subdivision and for improvements located thereon, building line
12 regulations, urban renewal plans and conservation plans; or by a
13 petition of the county voters, signed by at least ten percent (10%)
14 of the voters in the last general election, requesting an election
15 called for the purpose of authorizing a vote requiring a majority of
16 the county voters to vote ~~at an election called for such purpose in~~
17 ~~said~~ the county and to appropriate funds in the amounts necessary to
18 carry out the purpose of ~~this act~~ Section 865.51 et seq. of this
19 title. The commission, upon approval of the board, or vote of the
20 people, is hereby authorized to contract for, receive and utilize
21 any grants or other financial assistance from the federal or state
22 government or from any other source, public or private, in
23 furtherance of its functions and may incur necessary expenses in
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1 obtaining ~~said~~ the grants and/or financial assistance within the
2 limits of its appropriations.

3 SECTION 3. This act shall become effective November 1, 2019.

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