

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1051

By: Dollens

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6 AS INTRODUCED

7 An Act relating to cities and municipalities;
8 creating the Fair Zoning Act of 2025; providing
9 definitions; directing certain cities and
10 municipalities to amend zoning ordinances and
11 regulations; directing for zoning areas to not be
12 exclusively designated for single-family housing;
13 providing clarification; requiring comprehensive
14 reports; providing report contents; requiring reports
15 be made public; prohibiting certain restrictions;
16 providing exceptions; clarifying that act does not
17 apply to certain federal or state restrictions;
18 granting the Oklahoma Uniform Building Code
19 Commission and the Oklahoma Housing Finance Agency
20 enforcement power; permitting legal action; providing
21 for codification; and providing an effective date.

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

26 SECTION 1. NEW LAW A new section of law to be codified
27 in the Oklahoma Statutes as Section 43-120 of Title 11, unless there
28 is created a duplication in numbering, reads as follows:

29 This act shall be known and may be cited as the "Fair Zoning Act
30 of 2025".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 43-120.1 of Title 11, unless
3 there is created a duplication in numbering, reads as follows:

4 As used in this act:

5 1. "City and municipality" refers to any incorporated city,
6 town, township, or any local government entity responsible for land
7 use regulation within its jurisdiction.

8 2. "Commercial building" means a building that contains
9 businesses that contribute to the economy, including retailers,
10 restaurants, offices, or manufacturing.

11 3. "Multi-family housing zone" is a zoning designation where
12 multiple households can reside in residential structures such as
13 apartment buildings, townhouses, duplexes, and condominiums,
14 fostering higher population density and housing diversity within a
15 community.

16 4. "Residential building" is a building that contains separate
17 residences where a person or persons live or regularly stay.

18 5. "Single-family housing zone" is a zoning designation that
19 permits only the construction of single-family residential housing.

20 SECTION 3. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 43-120.2 of Title 11, unless
22 there is created a duplication in numbering, reads as follows:

23 A. Cities and municipalities with populations exceeding twenty
24 thousand (20,000) residents shall amend their zoning ordinances and

1 regulations to ensure that zoning areas are not exclusively
2 designated for single-family residential housing and must aim to
3 foster diverse and inclusive urban development as defined by the
4 United States Department of Housing and Urban Development.

5 1. In furtherance of diversification and inclusivity, zoning
6 ordinances and regulations shall be comprehensively updated. They
7 must permit the construction of various housing types, including but
8 not limited to multi-family housing, mixed-use developments, and
9 other innovative forms of residential structures, in addition to
10 single-family housing, across all residential zones so long as these
11 structures do not pose an imminent threat to the communities they
12 serve; and

13 2. Cities and municipalities shall be responsible for creating
14 comprehensive reports to be submitted to the Oklahoma Housing
15 Finance Agency every five (5) years, beginning December 10, 2026.
16 These reports shall detail the progress and initiatives taken to
17 promote diversity and inclusivity within their respective
18 communities, specifically in the context of urban development and
19 housing. The reports shall include, but are not limited to, the
20 following information:

21 a. a summary of zoning changes made to eliminate
22 exclusive single-family housing zones, including
23 specific zones affected,

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- b. details on the construction of multi-family housing, mixed-use developments, and other diverse housing options within the municipality, including their locations and the number of units created,
- c. efforts were made to ensure the affordability of housing, including the provision of income-based housing and affordable housing initiatives,
- d. any incentives or programs introduced to support sustainable and diverse housing practices, and
- e. collaborative efforts with community organizations, educational institutions, and industry stakeholders to promote diversity and inclusivity in urban development; and

3. The reports shall be made publicly accessible through the respective city or municipality's website and be provided to the Oklahoma Housing Finance Agency.

B. No municipality within the State of Oklahoma shall impose height restrictions on multi-family residential structures that are constructed within designated residential zones, provided the following conditions are met:

1. The multi-family residential structure has received the necessary approvals from the Oklahoma Uniform Building Code Commission, affirming its safety and structural integrity in accordance with established safety standards. Municipalities may

1 collaborate with the Oklahoma Uniform Building Code Commission and
2 industry experts to establish guidelines, best practices, and
3 periodic inspections to ensure that multi-family structures remain
4 safe and resilient throughout their lifecycle;

5 2. The construction complies with all applicable state and
6 local building codes, regulations, and safety standards, ensuring
7 that it meets or exceeds the safety requirements established for
8 conventional building materials; and

9 3. The construction is in compliance with Federal Aviation
10 Association guidelines if the construction would hinder aviation
11 traffic.

12 C. No municipality shall place undue restrictions on the
13 construction of residential buildings within residential zones,
14 provided such construction does not pose a threat to the historical
15 characteristics and aesthetics of the surrounding area.

16 1. The determination of whether a building design complies with
17 the historical characteristics of the area shall be guided by
18 considerations that respect the architectural heritage and visual
19 identity of the neighborhood, as established by local historical
20 preservation or zoning boards.

21 a. In cases where the design of a building is found to
22 potentially affect the area's historical
23 characteristics, the municipality may require an
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1 extensive review by the Oklahoma Uniform Building Code
2 Commission.

3 b. The Oklahoma Uniform Building Code Commission shall
4 conduct a thorough evaluation of the building design,
5 assessing its compatibility with the historical
6 context and ensuring that it harmonizes with the
7 surrounding architectural elements and ambiance. The
8 Commission shall verify that the proposed construction
9 adheres to all relevant safety and building codes.

10 2. If the design of a building is deemed unsuitable for the
11 historical area after the extensive review by the Oklahoma Uniform
12 Building Code Commission, the municipality may impose necessary
13 design modifications to ensure it aligns with the preservation of
14 the historical characteristics of the location.

15 D. This act shall not apply to any building subject to federal
16 or state height restrictions.

17 E. The Oklahoma Uniform Building Code Commission and Oklahoma
18 Housing Finance Agency shall have the authority to enforce this law
19 through their defined sections of this act by means of approval or
20 disapproval of future projects and fining cities, not in excess of
21 Twenty-five Thousand Dollars (\$25,000.00), that are found violating
22 this law.

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 43-120.3 of Title 11, unless
3 there is created a duplication in numbering, reads as follows:

4 Any citizen or organization may bring legal action against a
5 local government that fails to comply with the requirements of this
6 act. Any citizen or organization that successfully brings suit
7 against a local government that is in noncompliance with this act
8 shall be entitled to injunctive relief and attorney fees.

9 SECTION 5. This act shall become effective November 1, 2025.

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