

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 674

By: Pugh

AS INTRODUCED

An Act relating to municipal zoning; amending 11 O.S. 2021, Section 43-106, which relates to additional notice requirements for proposed zoning changes and reclassifications; providing certain exception; allowing charter schools to submit certain charter school site plan; requiring certain municipal body to take certain action; providing certain exemption; updating statutory language; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 2021, Section 43-106, is amended to read as follows:

Section 43-106. A. Except as provided in Section 2 of this act and as authorized in subsection B of this section, in addition to the notice requirements provided for in Section 43-104 of this title, notice of a public hearing on any proposed zoning change, except by a municipality acting pursuant to subsection B of this section and as provided in Section 2 of this act, shall be given twenty (20) days prior to the hearing by mailing written notice by the secretary of the planning commission, or by the municipal clerk

1 if there is no planning commission, to all the owners of real
2 property as provided for in Section 43-105 of this title. In
3 addition to the notice required in this subsection, if the zoning
4 change requested permits the use of treatment facilities, multiple
5 family facilities, transitional living facilities, halfway houses,
6 and any housing or facility that may be used for medical or
7 nonmedical detoxification as these terms are defined pursuant to
8 Section 3-403 of Title 43A of the Oklahoma Statutes, the entity
9 proposing the zoning change shall mail a written notice within
10 thirty (30) days of the hearing to all real property owners within
11 one-quarter (1/4) of a mile where the area to be affected is located
12 and shall be responsible for all costs incurred in mailing this
13 notice. The notice shall contain the:

- 14 1. Legal description of the property and the street address or
15 approximate location in the municipality;
- 16 2. Present zoning of the property and the zoning sought by the
17 applicant; and
- 18 3. Date, time, and place of the public hearing.

19 In addition to written notice requirements, notice may also be given
20 by posting notice of the hearing on the affected property at least
21 twenty (20) days before the date of the hearing.

22 For purposes of this subsection, "entity" means any individual,
23 corporation, company, firm, partnership, association, trust, state
24 agency, government instrumentality or agency, institution, county,

1 incorporated municipality or municipal authority or trust in which
2 any governmental entity is a beneficiary, venture, or other legal
3 entity however organized.

4 B. If a municipality proposes zoning reclassifications in order
5 to revise its comprehensive plan or official map or to identify
6 areas which require specific land use development due to topography,
7 geography, or other distinguishing features, including but not
8 limited to floodplain, drainage, historic preservation, and blighted
9 areas, the governing body may require, in addition to the notice
10 requirements provided for in Section 43-104 of this title, a sign to
11 be posted on designated properties within the area affected by the
12 proposed zoning reclassification. The sign and the lettering
13 thereon shall be of sufficient size so as to be clearly visible and
14 legible from the public street or streets toward which it faces.

15 The notice shall state:

- 16 1. The date, time, and place of the public hearing;
- 17 2. Who will conduct the public hearing;
- 18 3. The desired zoning classification;
- 19 4. The proposed use of the property; and
- 20 5. Other information as may be necessary to provide adequate
21 and timely public notice.

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 43-116 of Title 11, unless there
24 is created a duplication in numbering, reads as follows:

1 A. Any charter school that is formed and operated under the
2 provisions of the Oklahoma Charter Schools Act and sponsored by the
3 Statewide Charter School Board shall, after acquiring a building not
4 currently zoned for use as an educational building, submit a charter
5 school site plan to the municipal governing body, municipal zoning
6 commission, or other such body with zoning authority in the
7 municipality where the building is located. Such charter school
8 site plan shall include information demonstrating an intention to
9 utilize the building as a charter school for at least the next five
10 (5) years beginning upon use and a plan that details how the
11 building may be altered or enhanced to facilitate the purpose of the
12 charter school.

13 B. Upon submission and review of such charter school site plan,
14 the municipal governing body, municipal zoning commission, or other
15 such body with zoning authority in the municipality where the
16 building is located shall approve the submitted plan and rezone the
17 building for use as an educational building or disapprove the
18 submitted plan and return such plan to the charter school with a
19 written explanation for the reason for the disapproval with an
20 option for resubmission.

21 C. Any business or entity with a location restricted by a
22 distance requirement to a school shall not be deemed in violation of
23 the distance restriction should a charter school be approved
24 pursuant to this act that otherwise places the business or entity in
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1 noncompliance. If the business or entity ceases to operate or moves
2 locations, any law on distance restriction to the charter school
3 shall apply.

4 SECTION 3. This act shall become effective November 1, 2025.

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