Blanchard

Planning Commission
Agenda Packet

13 August 2020

Jeff Tompkins ~ Chairman
D Smith ~ Vice - Chairman
Steve Gee ~ Commissioner
Audie Ward ~ Commissioner
Lesley Franklin ~ Commissioner

Robert L. Floyd, City Manager
David L. Perryman, City Attorney
Ryan Conner, City Planner
Brenda Baird, City Clerk
Diana Daniels, Admin. Assistant

MEETING CALLED TO ORDER

BUSINESS AGENDA

AGENDA

PLANNING COMMISSION OF BLANCHARD, OKLAHOMA
REGULAR MEETING
6:30 P.M. Thursday
13 August 2020
Blanchard Municipal Court
300 N. Main Street
Blanchard, Oklahoma 73010

IN COMPLIANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, THE PLANNING COMMISSION OF THE CITY OF BLANCHARD, OKLAHOMA, WILL HOLD A REGULAR MEETING ON THURSDAY, 13 AUGUST 2020 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS OF THE BLANCHARD MUNICIPAL COURT HOUSE LOCATED AT 300 N. MAIN STREET, BLANCHARD, OKLAHOMA. THE AGENDA WILL CONSIST OF DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

A. MEETING CALL TO ORDER:

1. **Call to Order.**
2. **Roll Call:**
3. **Determination of Quorum:**

B. BUSINESS AGENDA: the following item(s) are hereby designated for discussion, consideration and take INDIVIDUAL action as deemed

1. **CONSIDERATION AND APPROPRIATE ACTION – PUBLIC HEARING.**
   Open, conduct and close Public Hearing to receive public comments on the proposed Conditional Use Permit by:

Applicant:	**Bill J. Hall**
Location:	**3357 SW 8th St (Rolling Hills Addition)**
Zoning:	**S-1, Suburban District**
Proposed Use:	**Medical Marijuana Growing Facility (Home Occupation)**
Legal:	**Lot 16 Block 2 – Rolling Hills Addition**

2. **CONSIDERATION AND APPROPRIATE ACTION – RESOLUTION**
   Adopting Resolution (No. 2020-____) recommending approval or denial to the City Council regarding the Conditional Use Permit as submitted by the applicant.

3. **CONSIDERATION AND APPROPRIATE ACTION – PUBLIC HEARING.**
Open, conduct and close Public Hearing to receive public comments on the proposed Conditional Use Permit by:

Applicant:	**Raymond Brooks**
Location:	**5312 S. County Line Ave**
Zoning:	**A-1, Agricultural District**
Proposed Use:	**Medical Marijuana Growing Facility (Home Occupation)**
Legal:	**See attached**

4. **CONSIDERATION AND APPROPRIATE ACTION – RESOLUTION**
Adopting Resolution (No. 2020-____) recommending approval or denial to the City Council regarding the Conditional Use Permit as submitted by the applicant.

5. **CONSIDERATION AND APPROPRIATE ACTION – PUBLIC HEARING.**
Open, conduct and close Public Hearing to receive public comments on the proposed Rezoning by:

Applicant:	**Gary Gallant**
Location:	**842 Post Oak Dr.**
Zoning:	**S-1, Suburban District**
Proposed:	**A-1, Agricultural District**
Legal:	**Unplatted – Appx 10.04 acres MOL**

6. **CONSIDERATION AND APPROPRIATE ACTION – RESOLUTION**
Adopting Resolution (No. 2020-____) recommending approval or denial to the City Council regarding the rezoning request as submitted by the applicant.

7. **CONSIDERATION AND APPROPRIATE ACTION – PUBLIC HEARING.**
Open, conduct and close Public Hearing to receive public comments on the proposed Rezoning by:

Applicant:	**DuBois Funeral Service, LLC**
Location:	**2500 N Council Ave**
Zoning:	**C-3, Planned Shopping Center District**
Proposed:	**R-E, Residential Estates**
Legal:	**Unplatted – Appx 1.39 acres MOL**

8. **CONSIDERATION AND APPROPRIATE ACTION – RESOLUTION**
Adopting Resolution (No. 2020-____) recommending approval or denial to the City Council regarding the rezoning request as submitted by the applicant.

9. **CONSIDERATION AND APPROPRIATE ACTION – LOT SPLIT.**
Discussion and consideration regarding approval or denial of the submitted Lot Split application submitted by:

Applicant:	**DuBois Funeral Service, LLC**
Location:	**2500 N Council Ave**
Original Tract:	**One (1) 3.87 acres MOL**
Proposed Tracts:	**Two (2) 2.48 acres MOL**
	1.39 acres MOL

10. **CONSIDERATION AND APPROPRIATE ACTION – LOT SPLIT.**
Discussion and consideration regarding approval or denial of the submitted Lot Split application submitted by:

Applicant:	**Joe Muzny II & Sandra Kay Muzny**
Location:	**7310 N Council Ave**
Original Tract:	**One (1) 10.02 acres MOL**
Proposed Tracts:	**Two (2) 2.72 acres MOL**
	7.30 acres MOL

C. CONSENT AGENDA: the following item(s) are hereby designated for approval, acceptance or acknowledgment by one motion, SUBJECT to any conditions included therein. If any item(s) do not meet with the approval of all members, that item(s) will be heard in regular order:

1. **Approval of Minutes for regular meeting of July 9th, 2020.**

2. **Acknowledgement of Attendance Report.**

D. COMMISSIONER/STAFF COMMENTS: This item is listed to provide an opportunity for the commissioners and/or city staff to make comments and/or request specific agenda items. NO ACTION will be taken.

E. ADJOURNMENT.

BUSINESS AGENDA

B-1

Conditional Use Application Report

DATE: 13 August 2020

TO: Blanchard Planning Commission

RE: Rezoning Application filed by Bill J. Hall

Application

APPLICANT: Bill J. Hall

OWNER: Same as applicant

LOCATION: 3357 SW 8th St

ZONING (Current): S-1, Suburban District

PROPOSED CONDITIONAL USE: Medical Marijuana Commercial Growing Facility

LEGAL: Lot 16 Block 2 Rolling Hills Addition – See Attached

Background

The subject property is located in the Rolling Hills Addition on the Western portion of the City Limits (neighborhood accessed off of Morgan Ave just North of Hwy 62). The neighborhood is all zoned S-1, Suburban District and thus can allow for Home Occupations. The proposed Medical Marijuana Growing Facility can classify as a Home Occupation if it receives approval as a Conditional Use, thus the reason for this request. The applicant submitted a site plan which identifies an existing outbuilding in the rear of the property to be used as the grow facility. Since the home on the property is occupied by the applicant and the facility will be utilized in an accessory structure, the means to apply for the Conditional Use have been submitted. The applicant will seek licensure from the Oklahoma Medical Marijuana Authority if the Conditional Use Application is approved. Medical Marijuana Commercial Growing is defined as "an individual or entity that has been issued a medical marijuana commercial license by the Department, which allows the grower to grow, harvest, dry, sure, package, sell, transfer, and transport or contract with a commercial transporter for the transport of medical marijuana in accordance with Oklahoma law."

The newly established ordinances (Home Occupations, Conditional Use Permits, and Medical Marjiuana) created the scenario in which any Medical Marijuana Growing/Processing wanting

compliance in a setting in which a Home Occupation permit is required, it triggers the need for the applicant to seek a separate Conditional Use Permit approval in order to operate the business.

The Planning Commission is tasked with making an educated recommendation to the City Council regarding the proposed Conditional Use. Under the new Ordinance § 21-921 B. "Review and Evaluation Criteria", Planning Commission has a list of ways that the case can be reviewed on. I am putting in red some notes that could help in your review:

B.1. Conformance with applicable regulations and standards established by Zoning Regulations.

- For a Commercial Grow to operate on a tract of land with the primary use being residential, it requires a Home Occupation Permit. Ordinance 713 that changed the parameters for Home Occupations states in § 21-511 D. that some uses will require a separate Conditional Use Permit in order to operate. The applicant is requesting the Conditional Use Permit for this process. The existing mobile home on the property has existed prior to annexation. The accessory structure is in conformance with S-1 zoning.

B.2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, site development, and access and circulation features.

- The subject property consists of approximately 2 acres of land, consistent with several tracts in the neighborhood except for the 4 acre tract immediately to the South. Abutting tracts consist of other mobile homes with various outbuildings of similar size. The applicant proposes to use an existing structure and mentions plans of expansion, but would not be able to expand if granted approval for just the existing building. The status of other Home Occupations in the area in unknown.

B.3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use.

- The subject property contains an accessory structure (roughly 2'x30' in size) that is the proposed structure in which the home occupation/MM commercial grow operation will be housed. The applicant does not mention the impact traffic will have on daily operation, but does state that harvests are 6-8 week periods and the two owners the property (Bill Hall and wife presumably) would be the only caretakers. The applicant mentions that charcoal filtration systems will be utilized for odor control and fencing and security systems will be added. We do not know the exact extent of this. Natural sunlight is mentioned as part of the system, but does not mention how this will be achieved in an indoor grow arrangement.

B.4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect health, safety, morals, and general welfare.

- The site plan provided shows the existing structures on the property, the house and the accessory buildings. Nothing more is indicated on the site plan to show the ability to mitigate any unfavorable impacts.

B.5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Conditional Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.

- The proposed location is located in the middle of a residential neighborhood. The only access to and from the property will be upon local privately maintained streets (of poor gravel condition). Technically speaking, traffic increases from a business such as this are unknown. Previous studies of businesses tend to show very limited amounts of increase traffic as harvests take time and can usually be transported using standard size vans, trucks, or personal vehicles. There would not be any retail aspect to a growing facility.

B.6. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Conditional Use" with existing or permitted uses in the surrounding area.

- If the Planning Commission believes that the Conditional Use is warranted, it could be recommended for approval with additional conditions to ensure compatibility. Further stipulations should be in writing such as mitigations to unfavorable affects this use could have on the surrounding areas.

I have received a few phone calls about the proposed use. So far only negative and opposed opinions have been solicited. There are been one (1) Open Records Request for the proposed use with the intention of filing official opposition. The Planning Commission has the review criteria as I outlined above, as well as the ability to ask questions of the applicant further.

Planning Commission will hear the applicant in a public hearing setting and make an official recommendation to the City Council who will decide whether to approve or deny the permit. Any stipulations put on the condition, if approved, will cause the property legal description and "Conditions of Approval" established by City Council to be filed in the records of the County Clerk's office.

Site Location & Description

The property is located in the N/2 of Section 35, Township 8 North, Range 5 West of the Indian Meridian, Grady County, Oklahoma.

Public Notification

Pursuant to Municipal Code Section 21-1012, notice to the public hearing was mailed to all owners and residential and commercial owners of property located within a 300' radius of the subject property and published in the Blanchard News prior to the hearing. In addition, a sign was posted upon the property prior to the hearing.

Zoning Code & General Plan Conformance

The current land use of the property is rural residential (see Page 25, 2020 Comprehensive Plan Update). The Future land use of the subject property is designated as the same.

Utilities

The subject property is located outside of municipal utility services.

Protest of Application

No written protests have been filed to date. Several phone calls have been received with opposing views of the application. There has been one (1) Open Records Request with the intention to officially oppose the application with legal representation.

Attachments

A. Application
B. Letter from Representative
C. Site Map
D. Regulations regarding request

Ryan M. Conner, City Planner

The City of
Blanchard
Planning Department

BLANCHARD OKLAHOMA

Conditional Use Permit Application

Office Use Only

Cash ☐
Check ☐
Received $ _____
Receipt No. _____
Date: _____

Permit No. _____

Project Address: 3357 S.W. 8th S

Present Zoning Classification:

Legal Description	Lot #	Block #	Subdivision: (If un-platted, submit copy of warranty deed)

Owner of Property: Bill Joesph Hall
Name Phone # Email

Mailing Address: 3357 S.W. 8th St. Blanchard OK 73010
Street # City State Zip

Representative/Applicant: Bill Joesph Hall
Name Phone # Email

Mailing Address: 3357 S.W. 8th St. Blanchard OK 73010
Street # City State Zip

Describe the nature and characteristics of the proposed "Conditional Use" (State "See Attached" if needed):

Growing Medical Marijuana

Describe the relationship of the proposed use to surrounding uses (State "See Attached" if needed):

It will not change anything with the property or have an increase of traffic, a

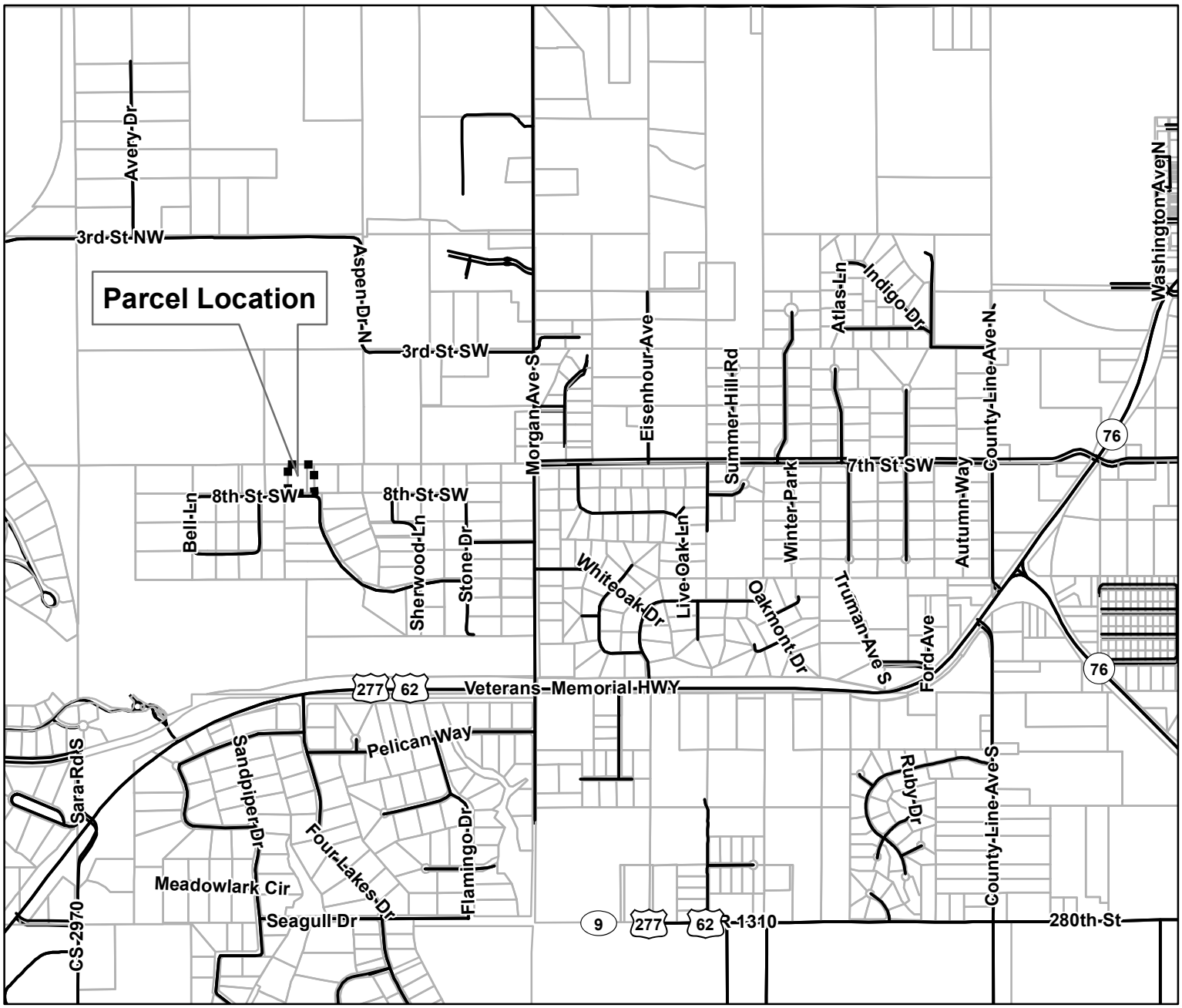
CERTIFICATION OF APPLICATION SUBMISSION

WE, THE UNDERSIGNED, ASK THE PLANNING COMMISSION AND THE CITY COUNCIL OF THE CITY OF BLANCHARD, OKLAHOMA, TO APPROVE A CONDITIONAL USE PERMIT AS REQUESTED IN THIS APPLICATION ON THE TRACT OF LAND DESCRIBED HEREIN. WE ATTEST TO THE TRUTH AND CORRECTNESS OF ALL FACTS AND INFORMATION PRESENTED WITH THIS APPLICATION AND WILL OBSERVE AND CONFORM IN ALL ASPECTS OF THE CONDITONAL USE REGULATIONS, AS AMENDED, OF THE CITY OF BLANCHARD AND HAVE RECEIVED A COPY OF THE POLICIES AND PROCEDURES REGULATING THE CONDITIONAL USE PERMIT APPLICATION. WE HEREBY AGREE TO PAY ALL ADVERTISING AND MAILING NOTIFICATION COST DIFFERENCES WHICH MAY BE GREATER THAN THE AMOUNT PAID WITH THIS APPLICATION FOR THE PUBLIC HEARINGS AS REQUIRED BY THE BLANCHARD ZONING REGULATIONS. THE CITY OF BLANCHARD IS AUTHORIZED TO PREPARE AND PUBLISH ALL REQUIRED LEGAL ADVERTISING AND MAIL NOTIFICATIONS, THE COST AND/OR COST DIFFERENCES OF WHICH IS TO BE BILLED TO THE NAME LISTED HEREIN FOR PAYMENT.

Printed Name Bill Joesph Hall _____
Signature

Date: 07/06/2020

City of Blanchard Planning Commission
Applicant: Billy Joe Hall and Vicki Marie Hall
3357 SW 8th St
Conditional Use Permit Request - Medical Marijuana Grow



Disclaimer: This product is for informational purposes only and it is NOT suitable for legal, engineering, or surveying purposes. The City of Blanchard does not assume any responsibility for any errors, deficiencies, defects, omissions, or inaccuracies in the data.

Legend

- Hall Parcel
- Blanchard Parcels
- Roads

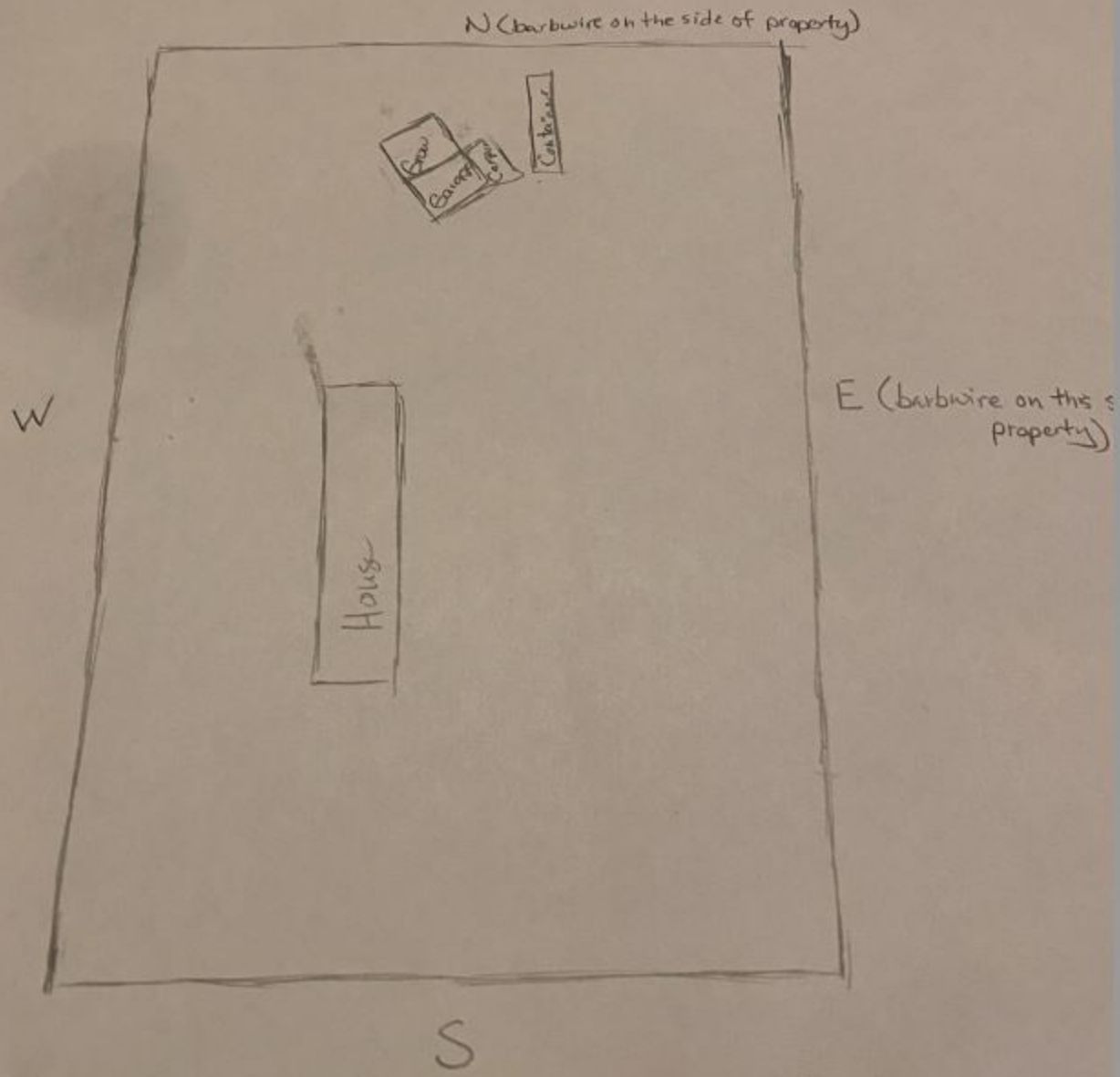
N

City of Blanchard 122 N. Main Street Blanchard, OK 73010		
Date: AUG 2020	Scale: 1:12,000	Drawn By: R. Conner

Hello,

I would like to take a minute to explain the daily operations and let you know all the precautions that will be put in place upon approval of the permit. I can only speak of indoor farming. The daily operations involve maintaining the environment, monitoring plants, preventing infection, plant succession management, cleaning, security and nutrient system maintenance. In the course of a day, a “farmer” may do any of these things: check temp and RH, check nutrient pH, make nutrients, pluck leaves, buy supplies, buy equipment, vend, take clones, transplant, clean the grow room, burp cure jars or harvest and trim flowers. With the size of the space right now we will just need the two owners of the grower in order to run daily operations, but in time hope to need more of course. We physically touch our plants daily though harvest isn’t for 6 - 8 weeks. We use Miracle Grow potting soil for now. We will be using Mars Hydro 2000 watt lights with supplement of natural sunlight. We will also be running charcoal filtration systems to cut down on odor. Hope to venture into new techniques as we progress with growing using hydroponics and ect. We will have our plants set to automatically water once a day in the morning once the lights turn on. We plan on adding additional fencing and security cameras to monitor our grow inside and out. Once approved for the permit.

Proposed Grow
Hall Residence
SW 8th St
1301
Google Earth
©2020 Google
N
200 ft



(entrance to property is chainlinked w/gate)

dispose of the matter by consent order or stipulation. Orders are appealable in accordance with the Oklahoma Administrative Procedures Act, 75 O.S. § 250 et seq.

SUBCHAPTER 5. COMMERCIAL ESTABLISHMENTS

310:681-5-1. License required

(a) No person or entity shall operate a medical marijuana business without first obtaining a license from the Department pursuant to 63 O.S. § 420 et seq., the Oklahoma Medical Marijuana and Patient Protection Act, 63 O.S. § 427.1 et seq., other applicable Oklahoma law, and the Rules in this Chapter. Only a person who is in compliance with the requirements of Oklahoma law and these Rules shall be entitled to receive or retain such a license.

(b) All commercial license applications shall be complete and accurate in every detail, shall include all attachments or supplemental information required by the forms supplied by the Department, and shall be accompanied by full remittance of the entire application fee. Any misstatements, omissions, misrepresentations, or untruths made in the application shall be grounds for administrative action against the licensee by the Department.

(c) All commercial licenses shall be on forms prescribed by the Department.

(d)Application fees are nonrefundable.

310:681-5-1.1. Responsibilities of the license holder

Upon acceptance of the license issued by the Department, the license holder in order to retain the license shall:

(1) Post the license or permit in a location in the licensed premises that is conspicuous;

(2) Comply with the provisions in this Chapter;

(3) Allow representatives of the Department access to the commercial establishment as specified under OAC 310:681-5-4 and OAC 310:681-5-6 (e);

(4) Comply with directives of the Department including time frames for corrective actions specified in inspection reports, audit reports, notices, orders, warnings, and other directives issued by the Department in regard to the license holder's commercial establishment or in response to community emergencies;

(5) Accept notices issued and served by the Department according to law;

(6) Be subject to the administrative, civil, injunctive, and criminal remedies authorized in law for failure to comply with this Chapter or a directive of the Department, including time frames for corrective actions specified in inspection reports, audit reports, notices, orders, warnings, and other directives;

(7) Ensure that all information and records maintained in the licensee's online OMMA license account—including the hours of operation for all licensed premises and a valid mailing address, if applicable—are complete, accurate, and updated in a timely manner in accordance with these Rules; and

(8) If applicable, submit the annual renewal application and pay all renewal license and late fees, if any.

310:681-5-2. Licenses

(a) **Timeframe.** A commercial establishment license shall be issued for a twelve (12) month period expiring one (1) year from the date of issuance. The license may be issued upon receipt of a completed application, payment of application fee, and verification by the Department the individual or entity complies with the requirements set forth in Oklahoma law and this Chapter.

(b) **Location.** A commercial license issued to a grower, processor, dispensary, or testing laboratory shall only be valid for a single location at the address listed on the application. A transporter license shall only be valid at the physical locations that have been submitted to and approved by the Department and are listed on the application.

(c) **Renewal of license.**

(1) It is the responsibility of the license holder to renew the license, with all applicable documentation, prior to the date of expiration of the license by following the procedures provided in OAC 310:681-5-3.

(2) Before renewing a license, the Department may require further information and documentation and may require additional background checks to determine the licensee continues to meet the requirements set forth in Oklahoma law and these Rules.

(3) Upon the determination that a licensee has not met the requirements for renewal, the Department shall provide written notice to the licensee. The notice shall provide an explanation for the denial of the renewal application.

(d) **Liquidation of products:** A commercial establishment licensee whose license is not renewed, or whose license is revoked, suspended, or voluntarily surrendered, shall cease all operations immediately upon expiration of the license.

(1) A commercial establishment has thirty (30) days from date of expiration, revocation, suspension, or surrender of a commercial license to liquidate and transfer all medical marijuana or medical marijuana products to another commercial establishment that (1) the commercial establishment may lawfully sell to and (2) is licensed to possess such medical marijuana or medical marijuana products.

(2) Any medical marijuana or medical marijuana products not liquidated in accordance with OAC 310:681-5-2(d)(1) shall be disposed of as specified under OAC 310:681-5-10.

(e) **Change in information.**

(1) Licensees shall notify the Department in writing within fourteen (14) days of any changes in contact information by electronically submitting a change request in accordance with the Department's instructions.

(2) Licensees shall obtain Department approval prior to any changes that effect the licensee's qualifications for licensure. Licensees shall notify the Department in writing—in advance of any change that may affect the licensee's qualifications for licensure by electronically submitting a change request, along

with any relevant documentation, in accordance with the Department's instructions. Except as is otherwise authorized by the Department, licensees are limited to one location change request and one ownership change request per year of licensure.

(f) **Transfer of license.**

(1) Commercial licenses may not be assigned or otherwise transferred from one person to another person, from one commercial establishment to another, or from one legal entity to another.

(2) Licenses may not be changed from one license type to another.

(g) **Surrender of license.**

(1) A licensee may voluntarily surrender a license to the Department at any time.

(2) If a licensee voluntarily surrenders a license, the licensee shall:

(A) Return the license to the Department;

(B) Submit on a form prescribed by the Department a report to the Department including the reason for surrendering the license; contact information following the close of business; the person or persons responsible for the close of the business; and where business records will be retained;

(C) Submit proof of the licensee's identity through submission of documentation identified in OAC 310:681-1-7 (relating to Proof of Identity); and

(D) Liquidate or dispose of any medical marijuana or medical marijuana products remaining in the possession of the licensee in accordance with OAC 310:681-5-2(d) and OAC 310:681-5-10.

310:681-5-3. Applications

(a) **Application fee.** An applicant for a commercial establishment license, or renewal thereof, shall submit to the Department a completed application on a form and in a manner prescribed by the Department, along with the application fee as established in 63 O.S. § 420 et seq. and the Oklahoma Medical Marijuana and Patient Protection Act, 63 O.S. § 427.1 et seq.

(b) **Submission.** Applications for a commercial license will be accepted by the Department no earlier than sixty (60) days from the date that the State Question is approved by the voters of the State of Oklahoma. The application shall be on the Department prescribed form and shall include the following information about the establishment:

(1) Name of the establishment;

(2) Physical address of the establishment, including the county in which any licensed premises will be located;

(3) GPS coordinates of the establishment;

(4) Phone number and email of the establishment;

(5) Hours of operation for any licensed premises.

(c) **Individual applicant.** The application for a commercial license made by an individual on his or her own behalf shall be on the Department prescribed form and shall include at a minimum:

(1) The applicant's first name, middle name, last name and suffix if applicable;

(2) The applicant's residence address and valid mailing address;
(3) The applicant's date of birth;
(4) The applicant's telephone number and email address;
(5) An attestation that the information provided by the applicant is true and correct;
(6) An attestation that any licensed premises shall not be located on tribal lands;
(7) An attestation that the business has obtained all applicable local licenses and permits for all licensed premises;
(8) An attestation that no individual with ownership interest in the business is a sheriff, deputy sheriff, police officer, prosecuting officer, an officer or employee of OMMA, or an officer or employee of a municipality in which the commercial entity is located; and
(9)A statement signed by the applicant pledging not to divert marijuana to any individual or entity that is not lawfully entitled to possess marijuana.

(d) **Application on behalf of an entity.** In addition to requirements of Subsection (c), an application for a commercial license made by an individual on behalf of an entity shall include:

(1) An attestation that applicant is authorized to make application on behalf of the entity:
(2) Full name of organization;
(3) Trade name, if applicable;
(4) Type of business organization;
(5) Mailing address;
(6) Telephone number and email address; and
(7) The name, residence address, and date of birth of each owner and each member, manager, and board member, if applicable.

(e) **Supporting documentation.** Each application shall be accompanied by the following documentation:

(1) A list of all owners and principal officers of the commercial applicant and supporting documentation, including, but not limited to: certificate of incorporation, bylaws, articles of organization, operating agreement, certificate of limited partnership, resolution of a board of directors, or other similar documents;
(2) If applicable, a certificate of good standing from the Oklahoma Secretary of State issued within thirty(30)days of submission of the application;
(3) If applicable, an electronic copy or digital image in color of a sales tax permit issued by the Oklahoma Tax Commission;
(4) An Affidavit of Lawful Presence for each owner;
(5) If a licensed dispensary, proof that the location of the dispensary is at least one thousand (1,000) feet from a public or private school. The distance specified shall be measured in a straight line from any entrance of any public and private school to the nearest point of the location of the dispensary; and
(6) Documents establishing the applicant~~,~~; and the members, managers, and board members if applicable~~,~~; and seventy-five percent (75%) of the commercial applicant's ownership interests are Oklahoma residents as required in the Oklahoma Medical Marijuana and Patient Protection Act, 63 O.S. § 427.1 et seq.

(A) Applicants seeking to renew a commercial license issued prior to the enactment of the Oklahoma Medical Marijuana and Patient Protection Act, 63 O.S. § 427.1 et seq., shall submit documentation establishing proof of residency in accordance with OAC 310:681-1-6 (relating to Proof of residency);

(B) All other applicants shall submit documentation establishing proof of residency in accordance with OAC 310:681-5-3.1.

(7) A certificate of compliance on a form prescribed or otherwise authorized by the Department that is issued by the political subdivision where the licensed premises is to be located certifying compliance with zoning classifications; applicable municipal ordinances; and applicable safety, electrical, fire, plumbing, waste, construction, and building specification codes;

(8) Accreditation documentation, including documentation of enrollment in analyte-specific proficiency testing results, showing applicants meet requirements stated in OAC 310:681-8-2(a); and

(9) Any further documentation the Department determines is necessary to ensure the commercial applicant is qualified under Oklahoma law and this Chapter to obtain a commercial license.

(f) **Incomplete application.** Failure to submit a complete application with all required information and documentation shall result in a rejection of the application. The Department shall notify the applicant via email through the electronic application account of the reasons for the rejection, and the applicant shall have thirty (30) days from the date of notification to correct and complete the application without an additional fee. If the applicant fails to correct and complete the application within the thirty (30) day period, the application shall expire.

(g) **Status update letter.** If a delay in processing has occurred, the Department shall notify the applicant via email of the delay and the reason for the delay.

310:681-5-3.1. Proof of residency for commercial licensees

(a) Applicants shall provide sufficient documentation establishing either:

(1) Oklahoma residency for at least two (2) years immediately preceding the application submission date; or

(2) five (5) years continuous Oklahoma residency during the twenty-five (25) years immediately preceding the application submission date.

(b) Applicants shall establish residency through submission of electronic copies or digital images in color of a combination of the following documents establishing residency for the entire span of the applicable time period:

(1) An unexpired Oklahoma-issued driver license;

(2) An Oklahoma identification card;

(3 An Oklahoma voter identification card;

(4) Utility bills, excluding cellular telephone and Internet bills;

(5) Residential property deeds or other official documentation

establishing proof of ownership of Oklahoma residential property;
(6) Rental agreements for residential property located in the State of Oklahoma; and
(7) Other documentation the Department deems necessary and/or sufficient to establish residency.

310:681-5-3.2. Persons prohibited from holding a commercial license
(a) A medical marijuana commercial license shall not be issued to or held by:
(1) An applicant who has failed to pay the required application or renewal fee;
(2) A corporation, if the criminal history of any its officers, directors, or stockholders has a disqualifying criminal conviction;
(3) An owner under twenty-five (25) years of age;
(4) An owner of any commercial licensee who, during a period of licensure or at the time of any commercial license application, has failed to:
(A) File any taxes, interest, or penalties due related to a medical marijuana business; or
(B) Pay any taxes, interest, or penalties due related to a medical marijuana business.
(5) A sheriff, deputy sheriff, police officer, prosecuting officer, officer or employee OMMA, or officer or employee of a municipality in which the commercial licensee is located; and
(6) A person whose authority to be a caregiver as defined in this Chapter is revoked by the Department for violations of Oklahoma law or these Rules. For purposes of this Subsection, revoked by the Department shall not include termination of a caregiver license based solely on a patient's withdrawal of caregiver designation.
(b) Any license issued to an individual or entity listed above shall be subject to revocation.

310:681-5-4. Inspections
(a) Submission of an application for a medical marijuana commercial license constitutes permission for entry to and inspection of any licensed premises and any vehicles on the licensed premises used for the transportation of medical marijuana and medical marijuana products during hours of operation and other reasonable times. Refusal to permit or impeding such entry or inspection shall constitute grounds for the nonrenewal, suspension, or revocation of a license.
(b) The Department may perform two on-site inspections per calendar year of each licensed grower, processor, dispensary, or commercial transporter to determine, assess, and monitor compliance with applicable Oklahoma law and these Rules.
(c) The Department shall conduct one on-site inspection of a testing laboratory applicant prior to initial licensure and one on-site inspection annually thereafter. The inspection prior to initial licensure may include proficiency testing, and shall be conducted to ensure all application materials are accurate and the applicant meets all requirements in 63 O.S. § 427.17 and these Rules.

(d) The Department may conduct additional inspections to ensure correction of or investigate violations of applicable Oklahoma law and these Rules. Such inspections may be unannounced if the Department believes notice will result in the destruction of evidence.
(e) The Department shall refer all complaints alleging criminal activity or other violations of Oklahoma law that are made against a licensee to appropriate Oklahoma state or local law enforcement or regulatory authorities.
(f) If the Department discovers what it reasonably believes to be criminal activity or other violations of Oklahoma law during an inspection, the Department may refer the matter to appropriate Oklahoma state or local law enforcement or regulatory authorities for further investigation.
(g) The Department may review any and all records of a licensee and may require and conduct interviews with such persons or entities and persons affiliated with such entities, for the purpose of determining compliance with Department rules and applicable laws. Licensees shall be afforded at least twenty-four hours' notice to secure legal representation prior to any interviews. Failure to make documents or other requested information available to the Department and/or refusal to appear or cooperate with an interview shall constitute grounds for nonrenewal, suspension, or revocation of a license, or any other remedy or relief available under law. All records shall be kept on-site and readily accessible.
(h) If the Department identifies a violation of 63 O.S. § 420 et seq., the Oklahoma Medical Marijuana and Patient Protection Act, 63 O.S. § 427.1 et seq.; and these Rules during an inspection of the licensed processor, the Department shall take administrative action in accordance with Oklahoma law, including the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 et seq.
(i) Except as otherwise provided in Oklahoma law or these Rules, correctable violation identified during an inspection shall be corrected within thirty (30) days of receipt of a written notice of violations.
(j) If a licensee fails to correct violations within thirty (30) days, the licensee will be subject to a fine of $500.00 for each deficiency and any other administrative action and penalty authorized by law.

310:681-5-5. [RESERVED]

310:681-5-6. Inventory tracking, records, reports, and audits
(a) **Monthly reports.** Licensed growers, processors, and dispensaries shall complete a monthly report on a form and in a manner prescribed by the Department. These reports shall be deemed untimely if not received by the Department by the fifteenth (15th) of each month for the preceding month.
(1) Dispensary reports shall include:
(A) The amount of marijuana purchased in pounds;
(B) The amount of marijuana sold or otherwise transferred
(C) The amount of marijuana waste in pounds;
(D) If necessary, a detailed explanation of why any medical marijuana product purchased by the licensee cannot be accounted for as having been sold or still remaining in

BUSINESS AGENDA

B-2

BUSINESS AGENDA

B-3

Conditional Use Application Report

DATE: 13 August 2020

TO: Blanchard Planning Commission

RE: Rezoning Application filed by Raymond Brooks

Application

APPLICANT: Raymond Brooks

OWNER: Same as applicant

LOCATION: 5312 S. County Line Ave

ZONING (Current): A-1, Agricultural District

PROPOSED CONDITIONAL USE: Medical Marijuana Commercial Growing Facility

LEGAL: See Attached

Background

The subject property is located in an unplatted portion of McClain County on a portion of City Limts South on County Line Ave, approximately 2.8 miles South of U.S. Hwy 62. The parcel itself is located in the A-1, Agricultural Zoning District and can allow for Medical Marijuana Commercial Growing as a Conditional Use Permit (there are no houses here to invoke a Home Occupation Permit). From the submitted documents, we know that the operation was given approval from the Oklahoma Medical Marijuana Authority is 2019 to operate the facility and is now seeking the renewal application requiring this process. The site itself is located in a fairly undeveloped agricultural and residential area on S. County Line Ave with tracts of land in excess of 10+ acres mostly. The site abuts an Oil Well pad site to the North, undeveloped land to the South, and 3 homes across County Line Ave to the West. The applicant submitted a description of the operation and it consists of the following:

- 2 Green Houses
- 3 Storage Containers (2 uses for Growing, 1 for storage)
- 1 60ft x 250ft outdoor growing station

The applicant describes the operation as being surrounded and/or obscured from view by neighbors or road traffic as trees and a multitude of screening is used as a security measure. The green houses

and outdoor growing area are both surrounded by 8ft tall screened fencing while the storage containers are locked with additional security monitoring for these and the rest of the property.

The applicant will seek renewal licensure from the Oklahoma Medical Marijuana Authority (was approved in 2019 and has been operating continually since) if the Conditional Use Application is approved. Medical Marijuana Commercial Growing is defined as "an individual or entity that has been issued a medical marijuana commercial license by the Department, which allows the grower to grow, harvest, dry, sure, package, sell, transfer, and transport or contract with a commercial transporter for the transport of medical marijuana in accordance with Oklahoma law."

The Planning Commission is tasked with making an educated recommendation to the City Council regarding the proposed Conditional Use. Under the new Ordinance § 21-921 B. "Review and Evaluation Criteria", Planning Commission has a list of ways that the case can be reviewed on. I am putting in red some notes that could help in your review:

B.1. Conformance with applicable regulations and standards established by Zoning Regulations.

- The property currently contains only the facilities for the commercial growing operation and can be allowed to operate only through the Conditional Use Permit requirement set by Ordinance 714 (Conditional Uses).

B.2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, site development, and access and circulation features.

- The subject property consists of approximately 10 acres of land surrounded by tracts larger in size. The abutting tracts of land are used for agricultural, rural residential, or Oil & Gas purposes. The existing structures are located in a mostly obscured view from surrounding properties and the roadway.

B.3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use.

- The applicant mentions that there are less than 10 employees on a daily basis but they share an access road used by the Oil & Gas company for the site. There have not been any complaints of the business since the operation began sometime last year and there have been no phone calls of letters of opposition since the time of application filing and notice.

B.4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect health, safety, morals, and general welfare.

- The site plan provided shows the existing structures on the property, the greenhouses, storage buildings, and location of outdoor grow. Nothing more is indicated on the site plan to show the ability to mitigate any unfavorable impacts.

B.5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Conditional Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.

- The facility is accessed directly from S. County Line Ave using a shared access road with an oil company. With around 10 employees or fewer, there would be multiple cars a day, but potentially just a many trucks on a daily basis for the operation of the well site.

B.6. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Conditional Use" with existing or permitted uses in the surrounding area.

- If the Planning Commission believes that the Conditional Use is warranted, it could be recommended for approval with additional conditions to ensure compatibility. Further stipulations should be in writing such as mitigations to unfavorable affects this use could have on the surrounding areas.

I have not received any phone calls or written protests for the proposed Conditional Use.r The Planning Commission has the review criteria as I outlined above, as well as the ability to ask questions of the applicant further.

Planning Commission will hear the applicant in a public hearing setting and make an official recommendation to the City Council who will decide whether to approve or deny the permit. Any stipulations put on the condition, if approved, will cause the property legal description and "Conditions of Approval" established by City Council to be filed in the records of the County Clerk's office.

Site Location & Description

The property is located in the NW/4 of Section 18, Township 7 North, Range 4 West of the Indian Meridian, McClain County, Oklahoma.

Public Notification

Pursuant to Municipal Code Section 21-1012, notice to the public hearing was mailed to all owners and residential and commercial owners of property located within a 300' radius of the subject property and published in the Blanchard News prior to the hearing. In addition, a sign was posted upon the property prior to the hearing.

Zoning Code & General Plan Conformance

The current land use of the property is agricultural & undeveloped land (see Page 25, 2020 Comprehensive Plan Update). The Future land use of the subject property is designated as the same.

Utilities

The subject property is located outside of municipal utility services.

Protest of Application

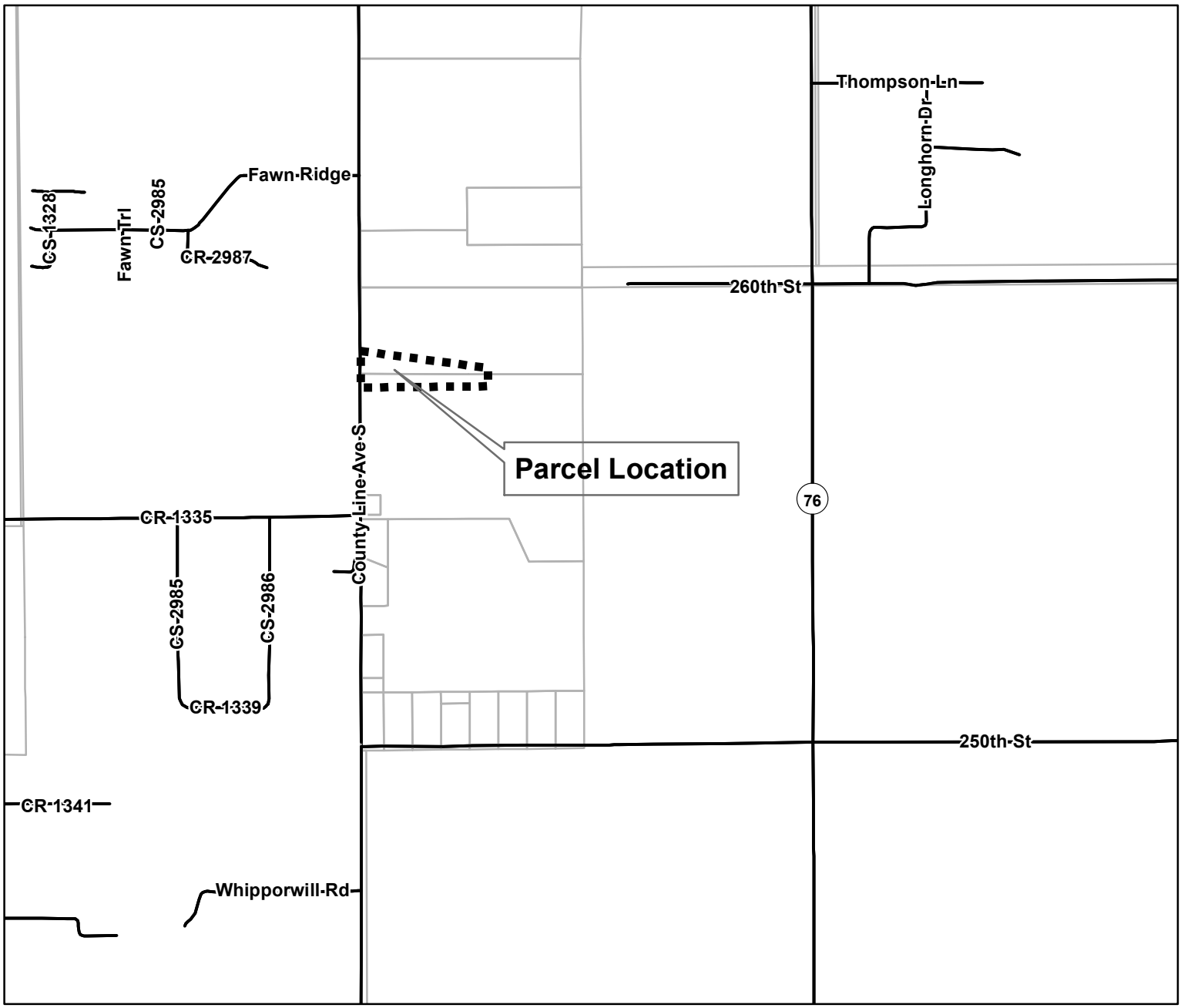
No written protests have been filed to date.

Attachments

A. Application
B. Letter from Representative
C. Site Map
D. Regulations regarding request

Ryan M. Conner, City Planner

City of Blanchard Planning Commission
Applicant: Raymond Brooks
Part of the NW4 S 18 T7N R4W
Conditional Use Permit Request - Medical Marijuana Grow



Disclaimer: This product is for informational purposes only and it is NOT suitable for legal, engineering, or surveying purposes. The City of Blanchard does not assume any responsibility for any errors, deficiencies, defects, omissions, or inaccuracies in the data.

Legend

- Brooks Parcel
- Blanchard Parcels
- Roads

N

City of Blanchard 122 N. Main Street Blanchard, OK 73010		
Date: AUG 2020	Scale: 1:12,000	Drawn By: R. Conner

The City of
Blanchard
Planning Department

BLANCHARD OKLAHOMA

Conditional Use Permit Application

Office Use Only

Cash ☐
Check ☐
Received $ _____
Receipt No. _____
Date: _____

Permit No. _____

Project Address: Blanchard 73010
5312 S. County Line Ave

Present Zoning Classification:

Legal Description	Lot #	Block #	Subdivision: (If un-platted, submit copy of warranty deed)
	See survey		

Owner of Property: Raymond Brooks 655-4899
Name Phone # Email

Mailing Address: 26442 County Line Ave canadianvalley2019@gmail.com
Street # City State Zip
Blanchard OK 73010

Representative/Applicant: Same as above
Name Phone # Email

Mailing Address: _____
Street # City State Zip

Describe the nature and characteristics of the proposed "Conditional Use" (State "See Attached" if needed):
This property will be used to grow medical marijuana.

Describe the relationship of the proposed use to surrounding uses (State "See Attached" if needed):
Property surrounding this land is used for agriculture, livestock and residences

CERTIFICATION OF APPLICATION SUBMISSION

WE, THE UNDERSIGNED, ASK THE PLANNING COMMISSION AND THE CITY COUNCIL OF THE CITY OF BLANCHARD, OKLAHOMA, TO APPROVE A CONDITIONAL USE PERMIT AS REQUESTED IN THIS APPLICATION ON THE TRACT OF LAND DESCRIBED HEREIN. WE ATTEST TO THE TRUTH AND CORRECTNESS OF ALL FACTS AND INFORMATION PRESENTED WITH THIS APPLICATION AND WILL OBSERVE AND CONFORM IN ALL ASPECTS OF THE CONDITONAL USE REGULATIONS, AS AMENDED, OF THE CITY OF BLANCHARD AND HAVE RECEIVED A COPY OF THE POLICIES AND PROCEDURES REGULATING THE CONDITIONAL USE PERMIT APPLICATION. WE HEREBY AGREE TO PAY ALL ADVERTISING AND MAILING NOTIFICATION COST DIFFERENCES WHICH MAY BE GREATER THAN THE AMOUNT PAID WITH THIS APPLICATION FOR THE PUBLIC HEARINGS AS REQUIRED BY THE BLANCHARD ZONING REGULATIONS. THE CITY OF BLANCHARD IS AUTHORIZED TO PREPARE AND PUBLISH ALL REQUIRED LEGAL ADVERTISING AND MAIL NOTIFICATIONS, THE COST AND/OR COST DIFFERENCES OF WHICH IS TO BE BILLED TO THE NAME LISTED HEREIN FOR PAYMENT.

Printed Name Raymond Brooks _____ Signature

Date: 7/15/20

Gmail

cityplanner CityofBlanchard.US <cityplanner@cityofblanchard.us>

Conditional Use Permit Property Description

1 message

Lisa Barclay <barclaymanagement2020@gmail.com> Wed, Jul 15, 2020 at 1:49 PM
To: cityplanner@cityofblanchard.us

The property at 5312 Country Line Ave was approved by OMMA as a medical marijuana grow in 2019. At this time, the business has two greenhouses that sit approximately 340 feet from County Line Ave that are being used for indoor growing of medical marijuana. The greenhouses as well as the rest of the property are hidden from view of the road by a slight rise in the ground and trees. The greenhouses are surrounded by an eight foot fence topped with barb wire and monitored with security cameras.

To the south of the greenhouses sits three storage containers. Two of the storage containers are being used for indoor growing of medical marijuana and one container is being used for storage. The containers are locked and monitored with security cameras.

To the east of the greenhouses is a 60ft wide x 250ft long outdoor grow. It is surrounded by an eight foot fence topped with barb wire and has a black mesh attached to the fencing to sheild the inside of the fence from view of anyone passing by. It is also monitored with security cameras.

At this time, besides the owner of the property there are less than 10 employees that come and go from the property on a daily basis. Of those employees, only two have access to the locked areas of the property.

The gravel road entrance to the property also provides access to an oil facility with occasional trucks coming in and out. In the year that we have been in business, we have not had any issues sharing this road.

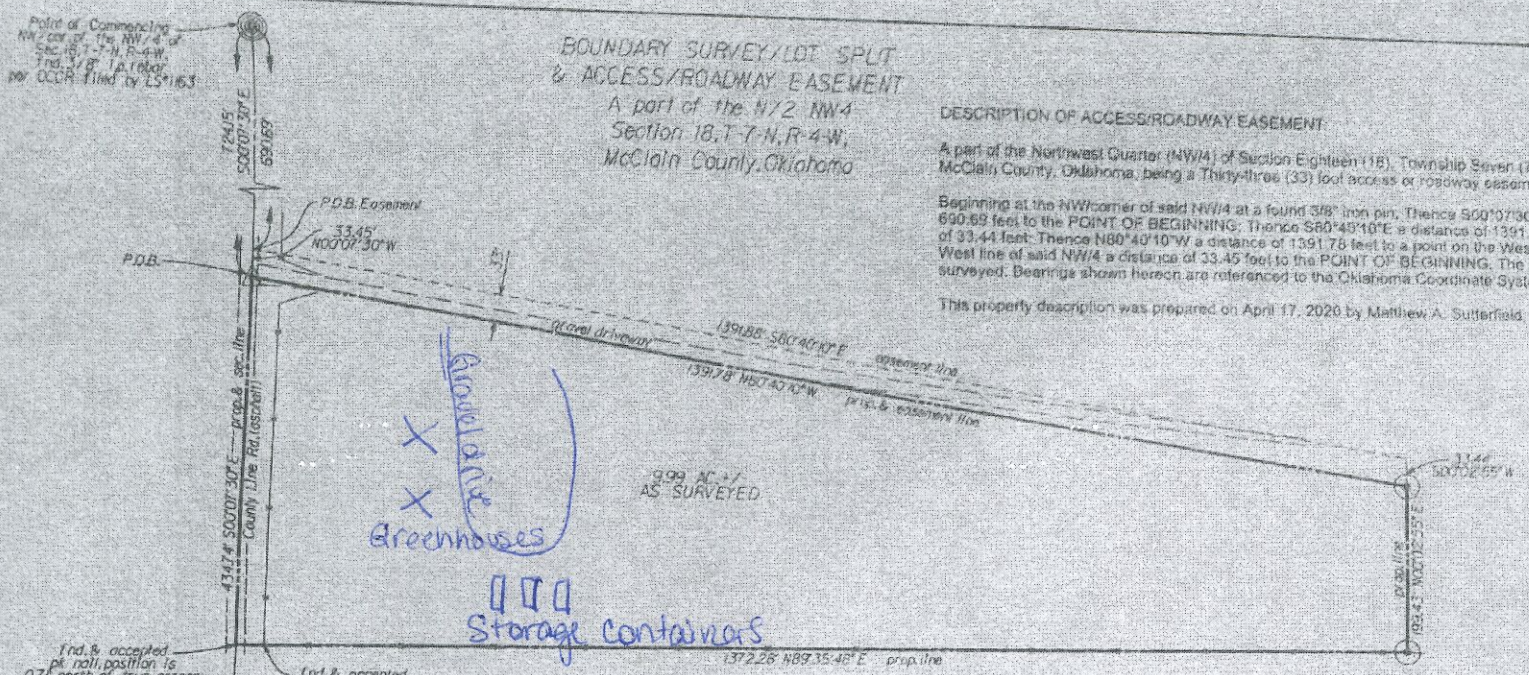
As you can see by the map provided, majority of the land boarding the grow property is not residential and specifically within 300 feet is mostly owned by family of Mr. Brooks. Where there is a residence, it is shielded by a thick line of trees or across a street. We have made every effort to have little to no impact on the surrounding properties both aesthetically and functionally.

Mr. Conner, Thank you for your help with the application. I hope this provides more detail to the property and its use. Let me know if there is anything else I need or you would recommend.

Lisa Barclay
Barclay Management

BOUNDARY SURVEY/LOT SPLIT & ACCESS/ROADWAY EASEMENT

A part of the N/2 NW4
Section 18, T-7-N, R-4-W,
McClain County, Oklahoma



DESCRIPTION OF ACCESS/ROADWAY EASEMENT:

A part of the Northwest Quarter (NW/4) of Section Eighteen (18), Township Seven (7) North, Range Four (4) West of the Indian Meridian McClain County, Oklahoma, being a Thirty-three (33) foot access or roadway easement more particularly described as follows:

Beginning at the NW/corner of said NW/4 at a found 3/8" iron pin, Thence S00°07'30"E along the West line of said NW/4 a distance of 690.69 feet to the POINT OF BEGINNING; Thence S80°40'10"E a distance of 1391.88 feet; Thence S00°02'55"W a distance of 33.44 feet; Thence N80°40'10"W a distance of 1391.78 feet to a point on the West line of said NW/4; Thence N00°07'30"W along the West line of said NW/4 a distance of 33.45 feet to the POINT OF BEGINNING. The above described tract contains +/-1.05 acres as surveyed. Bearings shown hereon are referenced to the Oklahoma Coordinate System of 1983, 2011 adjustment, South Zone.

This property description was prepared on April 17, 2020 by Matthew A. Sutterfield, Licensed Professional Land Surveyor No. 1962.

DESCRIPTION OF PROPERTY:

A part of the Northwest Quarter (NW/4) of Section Eighteen (18), Township Seven (7) North, Range Four (4) West of the Indian Meridian McClain County, Oklahoma, being more particularly described as follows:

Beginning at the NW/corner of said NW/4 at a found 3/8" iron pin, Thence S00°07'30"E along the West line of said NW/4 a distance of 724.15 feet to the POINT OF BEGINNING; Thence continuing S00°07'30"E a distance of 434.74 feet; Thence N89°35'48"E a distance of 1372.28 feet; Thence N00°02'55"E a distance of 199.43 feet; Thence N80°40'10"W a distance of 1391.78 feet to the POINT OF BEGINNING. The above described tract contains +/-9.99 acres as surveyed. Bearings shown hereon are referenced to the Oklahoma Coordinate System of 1983, 2011 adjustment, South Zone.

This property description was prepared on April 17, 2020 by Matthew A. Sutterfield, Licensed Professional Land Surveyor No. 1962.

MATTHEW A. SUTTERFIELD, PLS NO. 1962

April 17, 2020

DATE / DATE OF REVISION

April 15, 2020

LAST DATE ON SITE

REGISTERED PROFESSIONAL LAND SURVEYOR
MATTHEW A. SUTTERFIELD
1962
OKLAHOMA

CERTIFICATE OF SURVEY:

This plat of survey meets the Oklahoma Minimum Standards for the practice of land surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

SURVEYOR'S NOTES:

No easements were provided or requested to be shown on the survey.

No monuments were set for the access/roadway easement.

SUTTERFIELD
LAND SURVEYING

Sutterfield Land Surveying, LLP
CA 8477 exp. June 30, 2021
PO Box 234
Blanchard, Okla. 73010
matt.sutterfield@gmail.com

dispose of the matter by consent order or stipulation. Orders are appealable in accordance with the Oklahoma Administrative Procedures Act, 75 O.S. § 250 et seq.

SUBCHAPTER 5. COMMERCIAL ESTABLISHMENTS

310:681-5-1. License required

(a) No person or entity shall operate a medical marijuana business without first obtaining a license from the Department pursuant to 63 O.S. § 420 et seq., the Oklahoma Medical Marijuana and Patient Protection Act, 63 O.S. § 427.1 et seq., other applicable Oklahoma law, and the Rules in this Chapter. Only a person who is in compliance with the requirements of Oklahoma law and these Rules shall be entitled to receive or retain such a license.

(b) All commercial license applications shall be complete and accurate in every detail, shall include all attachments or supplemental information required by the forms supplied by the Department, and shall be accompanied by full remittance of the entire application fee. Any misstatements, omissions, misrepresentations, or untruths made in the application shall be grounds for administrative action against the licensee by the Department.

(c) All commercial licenses shall be on forms prescribed by the Department.

(d)Application fees are nonrefundable.

310:681-5-1.1. Responsibilities of the license holder

Upon acceptance of the license issued by the Department, the license holder in order to retain the license shall:

(1) Post the license or permit in a location in the licensed premises that is conspicuous;

(2) Comply with the provisions in this Chapter;

(3) Allow representatives of the Department access to the commercial establishment as specified under OAC 310:681-5-4 and OAC 310:681-5-6 (e);

(4) Comply with directives of the Department including time frames for corrective actions specified in inspection reports, audit reports, notices, orders, warnings, and other directives issued by the Department in regard to the license holder's commercial establishment or in response to community emergencies;

(5) Accept notices issued and served by the Department according to law;

(6) Be subject to the administrative, civil, injunctive, and criminal remedies authorized in law for failure to comply with this Chapter or a directive of the Department, including time frames for corrective actions specified in inspection reports, audit reports, notices, orders, warnings, and other directives;

(7) Ensure that all information and records maintained in the licensee's online OMMA license account—including the hours of operation for all licensed premises and a valid mailing address, if applicable—are complete, accurate, and updated in a timely manner in accordance with these Rules; and

(8) If applicable, submit the annual renewal application and pay all renewal license and late fees, if any.

310:681-5-2. Licenses

(a) **Timeframe.** A commercial establishment license shall be issued for a twelve (12) month period expiring one (1) year from the date of issuance. The license may be issued upon receipt of a completed application, payment of application fee, and verification by the Department the individual or entity complies with the requirements set forth in Oklahoma law and this Chapter.

(b) **Location.** A commercial license issued to a grower, processor, dispensary, or testing laboratory shall only be valid for a single location at the address listed on the application. A transporter license shall only be valid at the physical locations that have been submitted to and approved by the Department and are listed on the application.

(c) **Renewal of license.**

(1) It is the responsibility of the license holder to renew the license, with all applicable documentation, prior to the date of expiration of the license by following the procedures provided in OAC 310:681-5-3.

(2) Before renewing a license, the Department may require further information and documentation and may require additional background checks to determine the licensee continues to meet the requirements set forth in Oklahoma law and these Rules.

(3) Upon the determination that a licensee has not met the requirements for renewal, the Department shall provide written notice to the licensee. The notice shall provide an explanation for the denial of the renewal application.

(d) **Liquidation of products:** A commercial establishment licensee whose license is not renewed, or whose license is revoked, suspended, or voluntarily surrendered, shall cease all operations immediately upon expiration of the license.

(1) A commercial establishment has thirty (30) days from date of expiration, revocation, suspension, or surrender of a commercial license to liquidate and transfer all medical marijuana or medical marijuana products to another commercial establishment that (1) the commercial establishment may lawfully sell to and (2) is licensed to possess such medical marijuana or medical marijuana products.

(2) Any medical marijuana or medical marijuana products not liquidated in accordance with OAC 310:681-5-2(d)(1) shall be disposed of as specified under OAC 310:681-5-10.

(e) **Change in information.**

(1) Licensees shall notify the Department in writing within fourteen (14) days of any changes in contact information by electronically submitting a change request in accordance with the Department's instructions.

(2) Licensees shall obtain Department approval prior to any changes that effect the licensee's qualifications for licensure. Licensees shall notify the Department in writing—in advance of any change that may affect the licensee's qualifications for licensure by electronically submitting a change request, along

with any relevant documentation, in accordance with the Department's instructions. Except as is otherwise authorized by the Department, licensees are limited to one location change request and one ownership change request per year of licensure.

(f) **Transfer of license.**

(1) Commercial licenses may not be assigned or otherwise transferred from one person to another person, from one commercial establishment to another, or from one legal entity to another.

(2) Licenses may not be changed from one license type to another.

(g) **Surrender of license.**

(1) A licensee may voluntarily surrender a license to the Department at any time.

(2) If a licensee voluntarily surrenders a license, the licensee shall:

(A) Return the license to the Department;

(B) Submit on a form prescribed by the Department a report to the Department including the reason for surrendering the license; contact information following the close of business; the person or persons responsible for the close of the business; and where business records will be retained;

(C) Submit proof of the licensee's identity through submission of documentation identified in OAC 310:681-1-7 (relating to Proof of Identity); and

(D) Liquidate or dispose of any medical marijuana or medical marijuana products remaining in the possession of the licensee in accordance with OAC 310:681-5-2(d) and OAC 310:681-5-10.

310:681-5-3. Applications

(a) **Application fee.** An applicant for a commercial establishment license, or renewal thereof, shall submit to the Department a completed application on a form and in a manner prescribed by the Department, along with the application fee as established in 63 O.S. § 420 et seq. and the Oklahoma Medical Marijuana and Patient Protection Act, 63 O.S. § 427.1 et seq.

(b) **Submission.** Applications for a commercial license will be accepted by the Department no earlier than sixty (60) days from the date that the State Question is approved by the voters of the State of Oklahoma. The application shall be on the Department prescribed form and shall include the following information about the establishment:

(1) Name of the establishment;

(2) Physical address of the establishment, including the county in which any licensed premises will be located;

(3) GPS coordinates of the establishment;

(4) Phone number and email of the establishment;

(5) Hours of operation for any licensed premises.

(c) **Individual applicant.** The application for a commercial license made by an individual on his or her own behalf shall be on the Department prescribed form and shall include at a minimum:

(1) The applicant's first name, middle name, last name and suffix if applicable;

(2) The applicant's residence address and valid mailing address;
(3) The applicant's date of birth;
(4) The applicant's telephone number and email address;
(5) An attestation that the information provided by the applicant is true and correct;
(6) An attestation that any licensed premises shall not be located on tribal lands;
(7) An attestation that the business has obtained all applicable local licenses and permits for all licensed premises;
(8) An attestation that no individual with ownership interest in the business is a sheriff, deputy sheriff, police officer, prosecuting officer, an officer or employee of OMMA, or an officer or employee of a municipality in which the commercial entity is located; and
(9)A statement signed by the applicant pledging not to divert marijuana to any individual or entity that is not lawfully entitled to possess marijuana.

(d) **Application on behalf of an entity.** In addition to requirements of Subsection (c), an application for a commercial license made by an individual on behalf of an entity shall include:

(1) An attestation that applicant is authorized to make application on behalf of the entity:
(2) Full name of organization;
(3) Trade name, if applicable;
(4) Type of business organization;
(5) Mailing address;
(6) Telephone number and email address; and
(7) The name, residence address, and date of birth of each owner and each member, manager, and board member, if applicable.

(e) **Supporting documentation.** Each application shall be accompanied by the following documentation:

(1) A list of all owners and principal officers of the commercial applicant and supporting documentation, including, but not limited to: certificate of incorporation, bylaws, articles of organization, operating agreement, certificate of limited partnership, resolution of a board of directors, or other similar documents;
(2) If applicable, a certificate of good standing from the Oklahoma Secretary of State issued within thirty(30)days of submission of the application;
(3) If applicable, an electronic copy or digital image in color of a sales tax permit issued by the Oklahoma Tax Commission;
(4) An Affidavit of Lawful Presence for each owner;
(5) If a licensed dispensary, proof that the location of the dispensary is at least one thousand (1,000) feet from a public or private school. The distance specified shall be measured in a straight line from any entrance of any public and private school to the nearest point of the location of the dispensary; and
(6) Documents establishing the applicant~~,~~; and the members, managers, and board members if applicable~~,~~; and seventy-five percent (75%) of the commercial applicant's ownership interests are Oklahoma residents as required in the Oklahoma Medical Marijuana and Patient Protection Act, 63 O.S. § 427.1 et seq.

(A) Applicants seeking to renew a commercial license issued prior to the enactment of the Oklahoma Medical Marijuana and Patient Protection Act, 63 O.S. § 427.1 et seq., shall submit documentation establishing proof of residency in accordance with OAC 310:681-1-6 (relating to Proof of residency);

(B) All other applicants shall submit documentation establishing proof of residency in accordance with OAC 310:681-5-3.1.

(7) A certificate of compliance on a form prescribed or otherwise authorized by the Department that is issued by the political subdivision where the licensed premises is to be located certifying compliance with zoning classifications; applicable municipal ordinances; and applicable safety, electrical, fire, plumbing, waste, construction, and building specification codes;

(8) Accreditation documentation, including documentation of enrollment in analyte-specific proficiency testing results, showing applicants meet requirements stated in OAC 310:681-8-2(a); and

(9) Any further documentation the Department determines is necessary to ensure the commercial applicant is qualified under Oklahoma law and this Chapter to obtain a commercial license.

(f) **Incomplete application.** Failure to submit a complete application with all required information and documentation shall result in a rejection of the application. The Department shall notify the applicant via email through the electronic application account of the reasons for the rejection, and the applicant shall have thirty (30) days from the date of notification to correct and complete the application without an additional fee. If the applicant fails to correct and complete the application within the thirty (30) day period, the application shall expire.

(g) **Status update letter.** If a delay in processing has occurred, the Department shall notify the applicant via email of the delay and the reason for the delay.

310:681-5-3.1. Proof of residency for commercial licensees

(a) Applicants shall provide sufficient documentation establishing either:

(1) Oklahoma residency for at least two (2) years immediately preceding the application submission date; or

(2) five (5) years continuous Oklahoma residency during the twenty-five (25) years immediately preceding the application submission date.

(b) Applicants shall establish residency through submission of electronic copies or digital images in color of a combination of the following documents establishing residency for the entire span of the applicable time period:

(1) An unexpired Oklahoma-issued driver license;

(2) An Oklahoma identification card;

(3 An Oklahoma voter identification card;

(4) Utility bills, excluding cellular telephone and Internet bills;

(5) Residential property deeds or other official documentation

establishing proof of ownership of Oklahoma residential property;
(6) Rental agreements for residential property located in the State of Oklahoma; and
(7) Other documentation the Department deems necessary and/or sufficient to establish residency.

310:681-5-3.2. Persons prohibited from holding a commercial license
(a) A medical marijuana commercial license shall not be issued to or held by:
(1) An applicant who has failed to pay the required application or renewal fee;
(2) A corporation, if the criminal history of any its officers, directors, or stockholders has a disqualifying criminal conviction;
(3) An owner under twenty-five (25) years of age;
(4) An owner of any commercial licensee who, during a period of licensure or at the time of any commercial license application, has failed to:
(A) File any taxes, interest, or penalties due related to a medical marijuana business; or
(B) Pay any taxes, interest, or penalties due related to a medical marijuana business.
(5) A sheriff, deputy sheriff, police officer, prosecuting officer, officer or employee OMMA, or officer or employee of a municipality in which the commercial licensee is located; and
(6) A person whose authority to be a caregiver as defined in this Chapter is revoked by the Department for violations of Oklahoma law or these Rules. For purposes of this Subsection, revoked by the Department shall not include termination of a caregiver license based solely on a patient's withdrawal of caregiver designation.
(b) Any license issued to an individual or entity listed above shall be subject to revocation.

310:681-5-4. Inspections
(a) Submission of an application for a medical marijuana commercial license constitutes permission for entry to and inspection of any licensed premises and any vehicles on the licensed premises used for the transportation of medical marijuana and medical marijuana products during hours of operation and other reasonable times. Refusal to permit or impeding such entry or inspection shall constitute grounds for the nonrenewal, suspension, or revocation of a license.
(b) The Department may perform two on-site inspections per calendar year of each licensed grower, processor, dispensary, or commercial transporter to determine, assess, and monitor compliance with applicable Oklahoma law and these Rules.
(c) The Department shall conduct one on-site inspection of a testing laboratory applicant prior to initial licensure and one on-site inspection annually thereafter. The inspection prior to initial licensure may include proficiency testing, and shall be conducted to ensure all application materials are accurate and the applicant meets all requirements in 63 O.S. § 427.17 and these Rules.

(d) The Department may conduct additional inspections to ensure correction of or investigate violations of applicable Oklahoma law and these Rules. Such inspections may be unannounced if the Department believes notice will result in the destruction of evidence.
(e) The Department shall refer all complaints alleging criminal activity or other violations of Oklahoma law that are made against a licensee to appropriate Oklahoma state or local law enforcement or regulatory authorities.
(f) If the Department discovers what it reasonably believes to be criminal activity or other violations of Oklahoma law during an inspection, the Department may refer the matter to appropriate Oklahoma state or local law enforcement or regulatory authorities for further investigation.
(g) The Department may review any and all records of a licensee and may require and conduct interviews with such persons or entities and persons affiliated with such entities, for the purpose of determining compliance with Department rules and applicable laws. Licensees shall be afforded at least twenty-four hours' notice to secure legal representation prior to any interviews. Failure to make documents or other requested information available to the Department and/or refusal to appear or cooperate with an interview shall constitute grounds for nonrenewal, suspension, or revocation of a license, or any other remedy or relief available under law. All records shall be kept on-site and readily accessible.
(h) If the Department identifies a violation of 63 O.S. § 420 et seq., the Oklahoma Medical Marijuana and Patient Protection Act, 63 O.S. § 427.1 et seq.; and these Rules during an inspection of the licensed processor, the Department shall take administrative action in accordance with Oklahoma law, including the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 et seq.
(i) Except as otherwise provided in Oklahoma law or these Rules, correctable violation identified during an inspection shall be corrected within thirty (30) days of receipt of a written notice of violations.
(j) If a licensee fails to correct violations within thirty (30) days, the licensee will be subject to a fine of $500.00 for each deficiency and any other administrative action and penalty authorized by law.

310:681-5-5. [RESERVED]

310:681-5-6. Inventory tracking, records, reports, and audits
(a) **Monthly reports.** Licensed growers, processors, and dispensaries shall complete a monthly report on a form and in a manner prescribed by the Department. These reports shall be deemed untimely if not received by the Department by the fifteenth (15th) of each month for the preceding month.
(1) Dispensary reports shall include:
(A) The amount of marijuana purchased in pounds;
(B) The amount of marijuana sold or otherwise transferred
(C) The amount of marijuana waste in pounds;
(D) If necessary, a detailed explanation of why any medical marijuana product purchased by the licensee cannot be accounted for as having been sold or still remaining in

BUSINESS AGENDA

B-4

BUSINESS AGENDA

B-5

Zoning Reclassification Report

DATE: 13 August 2020

TO: Blanchard Planning Commission

RE: Rezoning Application filed by Gary Gallant

Application

APPLICANT: Gary Gallant

OWNER: Same as applicant

LOCATION: 842 Post Oak Dr (Can be accessed from both Post Oak Dr and NE 25th St) – Appx 0.3 miles East of intersection of Hwy 76 & NE 25th St

ZONING (Current): S-1, Suburban District

ZONING (Proposed): A-1, Agricultural District

LEGAL: 10.04 Acre Tract – See Attached Documents

Background

The subject property is located approximately 0.3 miles East of the intersection of Hwy 76 and NE 25th St. It is currently zoned S-1 and the applicant, Gary Gallant, is seeking to rezone it to the A-1, Agricultural District. The intent of the request is to have all of the property fronting along NE 25th St historically owned by Gallant to be zoned A-1 in order to perform a Lot Line Adjustment, not a Lot Split, on 3 separate properties, all adjacent to each other. This Lot Line Adjustment (shown on an attached map) would not create any new tracts of land, but would allow one of the tracts to be reduced in size while the other two tracts to increase in size. All three tracts would meet the minimum requirements of the A-1 Zoning District regulations after the performed Lot Line Adjustment (approved by the City Manager). In order for the Lot Line Adjustment to take place, the 10.04 acre tract that 842 Post Oak Dr residence sits on would need to be rezoned to A-1 to conform with the other adjacent tracts. The scenario can be described like this:

Tract 1 Existing – 10 acres w/ a house – A-1 Zoning (2019) – Gallant
Tract 2 Existing – 10.04 acres w/ a house – S-1 Zoning (proposed rezoning change) – Gallant
Tract 3 Existing – 2.5 acres w/ a house – A-1 Zoning (2014 Lot Split/Rezoning) – McElhaney

Tract 1 Proposed – Appx 3 acres w/ a house – Gallant – reduced size
Tract 2 Proposed – Appx 14 acres w/a house – Gallant – increased size
Tract 3 Proposed – Appx 5 acres w/ a house – McElhaney – increased size

If the Planning Commission recommended approval and the City Council agreed to rezone the property, the Lot Line Adjustment application and proper surveys would be required to be submitted to the City Manager in order to adjust the size of all 3 adjacent tracts. In essence, no new tracts would be created, just a means in which to adjust the sizes of the existing tracts.

Site Location & Description

The property is located in the SW/4 of Section 17, Township 8 North, Range 4 West of the Indian Meridian, McClain County, Oklahoma.

Public Notification

Pursuant to Municipal Code Section 21-1012, notice to the public hearing was mailed to all owners and residential and commercial owners of property located within a 300' radius of the subject property and published in the Blanchard News prior to the hearing. In addition, a sign was posted upon the property prior to the hearing.

Zoning Code & General Plan Conformance

The current land use of the property is rural residential (see Page 25, 2020 Comprehensive Plan Update). The Future land use of the subject property is designated as the same.

Utilities

The subject property is located along a 12" water line but located outside of the municipal sewer service area.

Protest of Application

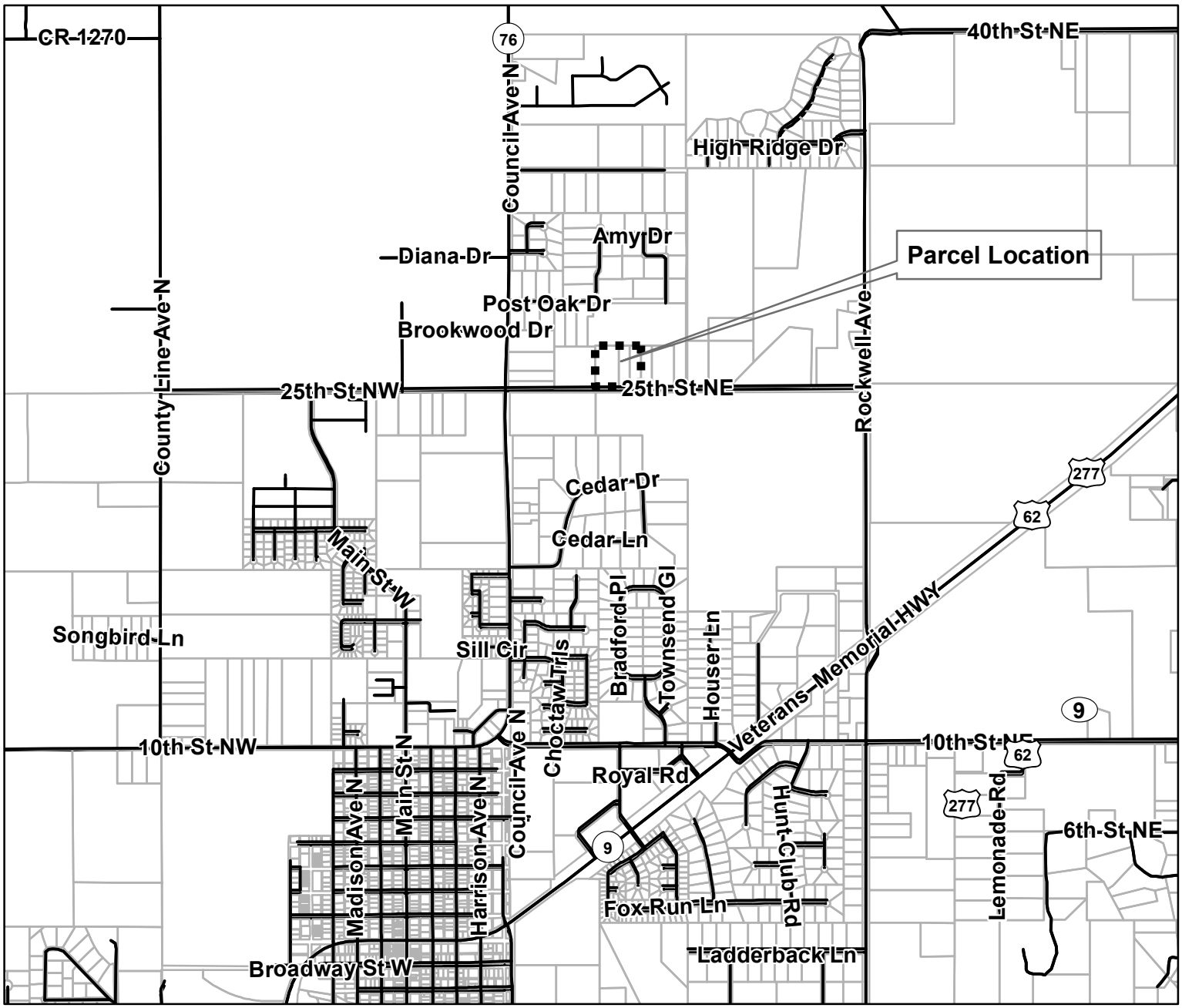
No written protests have been filed to date.

Attachments

A. Application
B. Location Map

Ryan M. Conner, City Planner

City of Blanchard Planning Commission
Applicant: Gary Gallant
SW/4 SE/4 SW/4 of 17 T8N R4W
Rezoning Request: S-1 to A-1



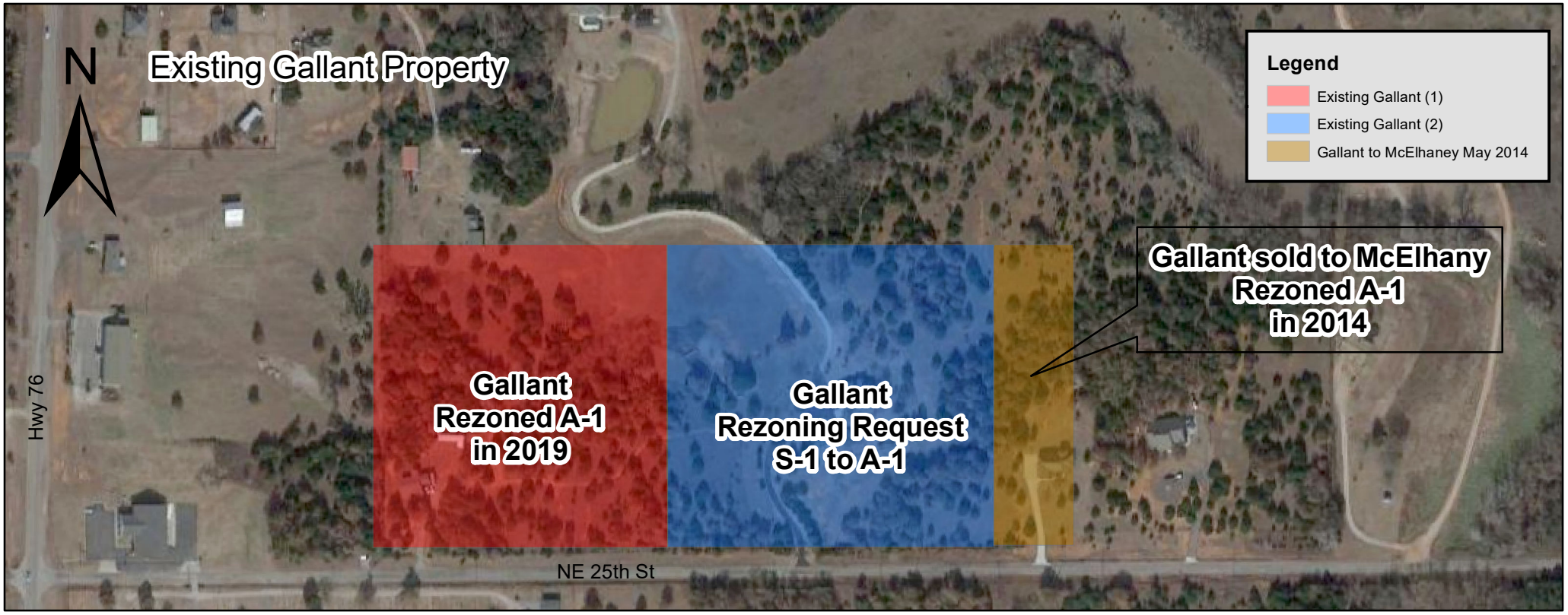
Disclaimer: This product is for informational purposes only and it is NOT suitable for legal, engineering, or surveying purposes. The City of Blanchard does not assume any responsibility for any errors, deficiencies, defects, omissions, or inaccuracies in the data.

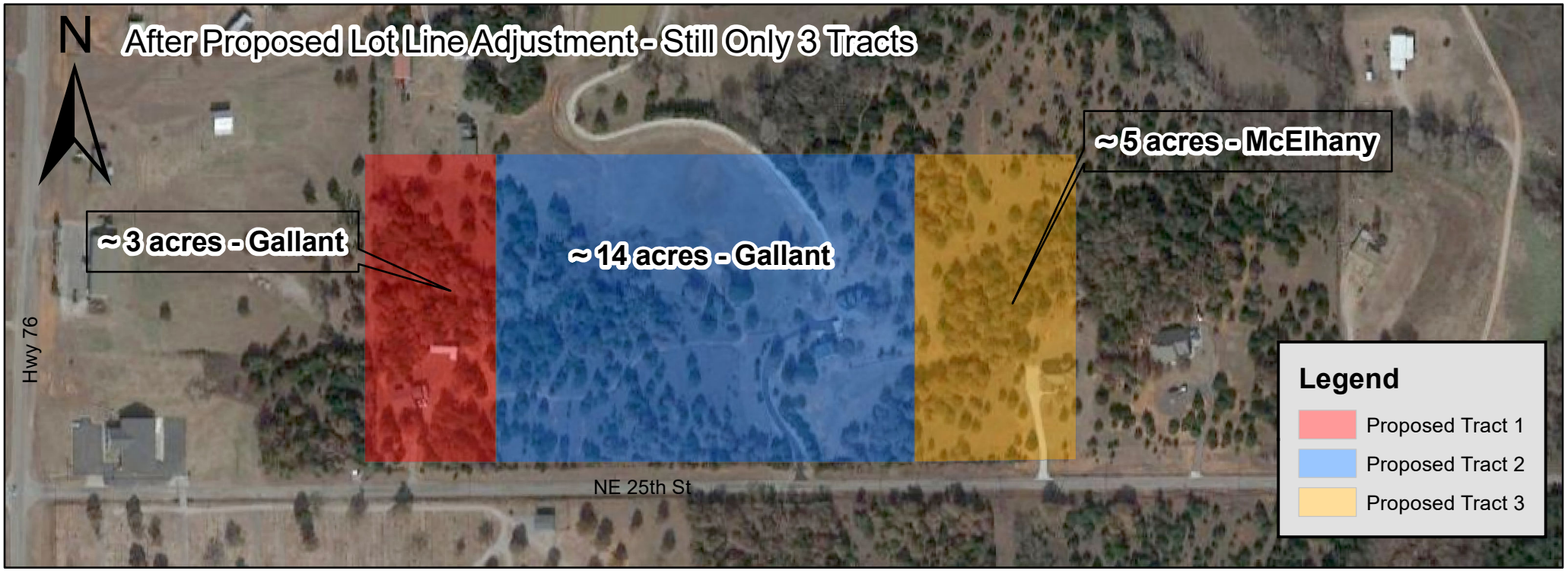
Legend

- Gallant_2020
- Blanchard Parcels
- Roads

N

City of Blanchard 122 N. Main Street Blanchard, OK 73010		
Date: Aug 2020	Scale: N/A	Drawn By: R. Conner


N
Existing Gallant Property
Legend
Existing Gallant (1)
Existing Gallant (2)
Gallant to McElhaney May 2014
Gallant sold to McElhany
Rezoned A-1
in 2014
Gallant
Rezoned A-1
in 2019
Gallant
Rezoning Request
S-1 to A-1
Hwy 76
NE 25th St


N
After Proposed Lot Line Adjustment - Still Only 3 Tracts
~5 acres - McElhany
~3 acres - Gallant
~14 acres - Gallant
Hwy 76
NE 25th St
Legend
Proposed Tract 1
Proposed Tract 2
Proposed Tract 3

BUSINESS AGENDA

B-6

BUSINESS AGENDA

B-7

Zoning Reclassification Report

DATE: 13 August 2020

TO: Blanchard Planning Commission

RE: Rezoning Application filed by Michael DuBois

Application

APPLICANT: DuBois Funeral Service, LLC – Represented by Michael DuBois

OWNER: Same as applicant

LOCATION: 2500 N Council Ave (Intersection of Hwy 76 & NE 25th St)

ZONING (Current): C-3, Commercial District

ZONING (Proposed): R-E, Residential Estates

LEGAL: 1.39 Acre Tract – See Attached Documents

Background

The subject property is located at the intersection of NE 25th St and Hwy 76, the site of the Eisenhour Funeral Home (DuBois Funeral Home). The funeral home sits on a 3.87 acre tract of land in the C-3 Commercial Zoning District. The applicant Michael DuBois, owner and operator of the funeral home, is requesting a zoning change to R-E for 1.39 acres on the East side of the property that he is also requesting a contingent Lot Split for. The plans are to keep 2.48 acres on the site of the funeral home and 1.39 acres on the East side for a single-family home. The rezoning request to R-E will allow the 1.39 acre tract to meet the R-E zoning requirements while C-3 zoning for the funeral home will allow it to stay in compliance. See attached maps for this and the Lot Split report. Both tracts of land will still have frontage along roadways.

Site Location & Description

The property is located in the W/2 of the SW/4 of Section 17, Township 8 North, Range 4 West of the Indian Meridian, McClain County, Oklahoma.

Public Notification

Pursuant to Municipal Code Section 21-1012, notice to the public hearing was mailed to all owners and residential and commercial owners of property located within a 300' radius of the subject property and published in the Blanchard News prior to the hearing. In addition, a sign was posted upon the property prior to the hearing.

Zoning Code & General Plan Conformance

The current land use of the property is commercial (see Page 25, 2020 Comprehensive Plan Update). The Future land use of the subject property is designated as the same. The proposed rezoning change is only for a 1.39 acre portion on the East side of the property that is requesting a contingent Lot Split for a single family house. Rural Residential land uses exist on the adjoining properties.

Utilities

The subject property is located along a 12" water line but located outside of the municipal sewer service area.

Protest of Application

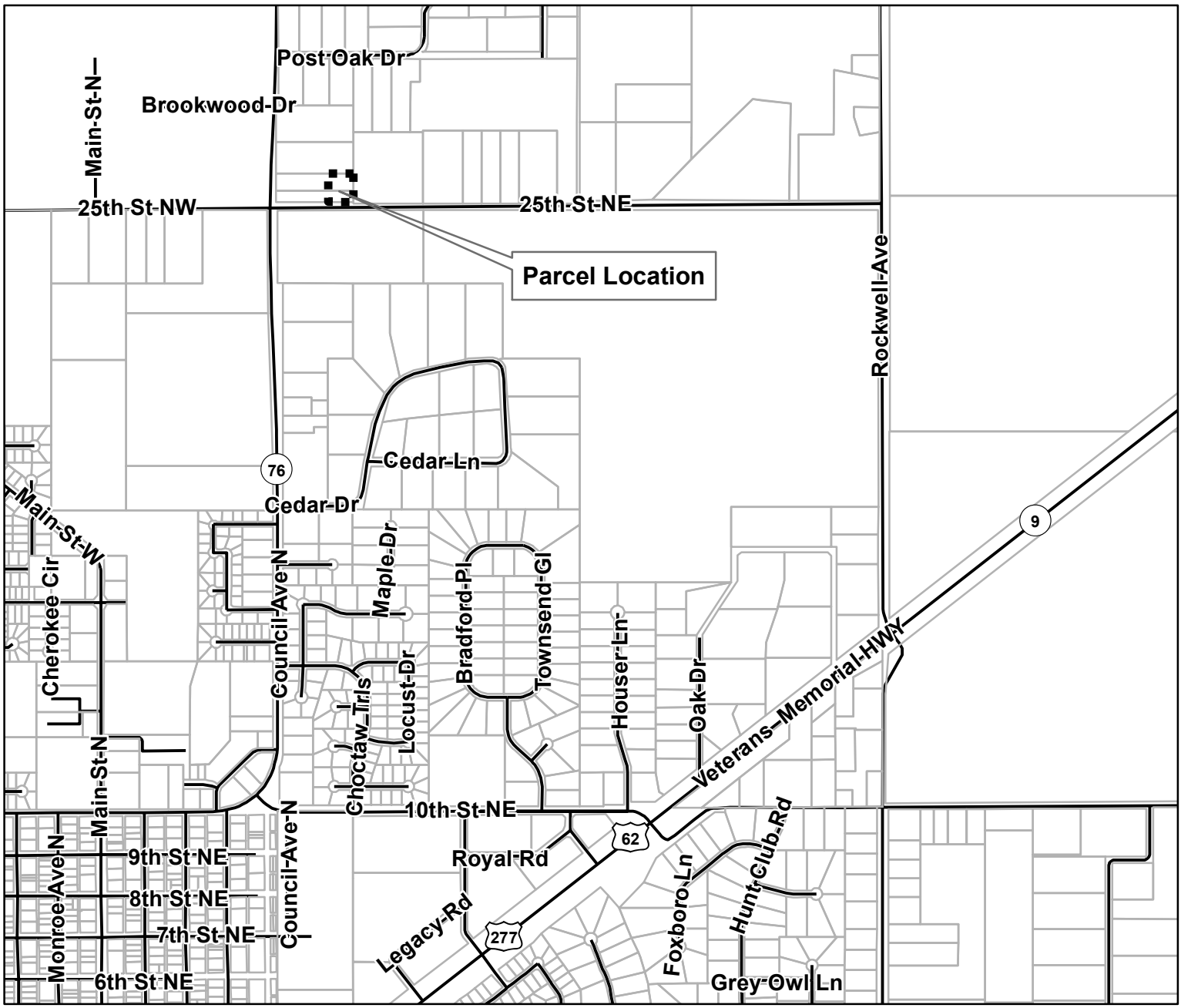
No written protests have been filed to date.

Attachments

A. Application
B. Location Map

Ryan M. Conner, City Planner

City of Blanchard Planning Commission
Applicant: DuBois Funeral Service, LLC
Part of the SW/4 SW/4 SW/4 of 17 T8N R4W
Rezoning Request: C-3 to R-E



Disclaimer: This product is for informational purposes only and it is NOT suitable for legal, engineering, or surveying purposes. The City of Blanchard does not assume any responsibility for any errors, deficiencies, defects, omissions, or inaccuracies in the data.

Legend

- DuBois Funeral Service LLC
- Blanchard Parcels
- Roads

N

City of Blanchard 122 N. Main Street Blanchard, OK 73010		
Date: Aug 2020	Scale: N/A	Drawn By: R. Conner

DuBois Lot Split
76
Brookwood Dr
Staying C-3
R-E Zoning Requested
Tract 1
2.48 ac MOL
Tract 2
1.39 ac MOL
N Council Ave
NE 25th St
76
N
0
150
300
Feet
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

BUSINESS AGENDA

B-8

BUSINESS AGENDA

B-9

Lot Split Application Report

DATE: 13 August 2020

TO: Blanchard Planning Commission

RE: Application filed by Michael DuBois

Application

APPLICANT:	DuBois Funeral Service, LLC – Represented by Michael DuBois
OWNER:	Same as applicant
LOCATION:	2500 N Council Ave (Intersection of Hwy 76 & NE 25th St)
ZONING (Proposed):	C-3 & R-E (for 1.39 acre East Portion)
LEGAL:	See Attached
Original TRACTS:	One (1): 3.87 Acres MOL
PROPOSED TRACTS:	Two (2): Tract 1: 2.48 Acres MOL Tract 2: 1.39 Acres MOL

Background

The subject property is located at the intersection of NE 25th St and Hwy 76, the site of the Eisenhour Funeral Home (DuBois Funeral Home). The entire property consists of 3.87 acres and is zoned C-3, appropriate for the current use. Accompanied with this Lot Split request is a Rezoning request for one of the proposed tracts, 1.39 acres on the East side of the property (see attached map). If the East tract is recommended and given approval to be rezoned by the City Council, the Lot Split request will be able to be approved contingently as well. The overall goal is to keep 2.48 acres for the site of the funeral home, staying in C-3 commercial zoning, while the 1.39 acres will be in the R-E zoning district to allow a single family home. Both proposed tracts and zoning designations will meet required ordinances. Both tracks will have frontage along roadways.

Site Location & Description

The property is located in the W/2 of the SW/4 of Section 17, Township 8 North, Range 4 West, of the Indian Meridian, McClain County, Oklahoma.

Public Notification

None required.

Zoning Code & General Plan Conformance

The current land use of the property is commercial (see Page 25, 2020 Comprehensive Plan Update). The Future land use of the subject property is designated as the same. The proposed rezoning change is only for a 1.39 acre portion on the East side of the property that is requesting a contingent Lot Split for a single family house. Rural Residential land uses exist on the adjoining properties.

Utilities

The subject property is located along a 12" water line but located outside of the municipal sewer service area.

Protest of Application

None reported.

Attachments

A. Application.
B. Map

Prepared by:

Ryan Conner - City Planner

DuBois Lot Split
76
Brookwood Dr
Staying C-3
R-E Zoning Requested
Tract 1
2.48 ac MOL
Tract 2
1.39 ac MOL
N Council Ave
NE 25th St
76
N
0
150
300
Feet
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

BUSINESS AGENDA

B-10

Lot Split Application Report

DATE: 13 August 2020

TO: Blanchard Planning Commission

RE: Application filed by Vernon Joe Muzny II & Sandra Kay Muzny

Application

APPLICANT: Joe Muzny II & Sandra Kay Muzny

OWNER: Same as applicant

LOCATION: 7310 N Council Ave

ZONING: A-1, Agricultural District

LEGAL: See Attached

Original TRACTS: One (1): 10.02 Acres MOL

PROPOSED TRACTS: Two (2):
Tract 1: 2.72 Acres MOL
Tract 2: 7.30 Acres MOL

Background

The subject property is located off St. Hwy 76 approximately 0.2 miles North of the intersection of Hwy 76 and NE 70th St. It is zoned A-1, Agricultural as is all of the surrounding properties. This Lot Split request comes as a result of a mortgage inspection report requiring the owners to seek Lot Split approval. Evidently, the roughly 10 acres of land was split by deed at the County in 2017/2018 without getting official approval from the Planning Commission, thus an illegal Lot Split. The original owner is now attempting to gain retroactive Lot Split approval in order to sell the 2.72 acre portion of the property as well as have official split status of the other 7.3 acres.

To further explain, the portion of the 10 acres West of the creek running diagonal through the property consists of 2.72 acres, which Vernon Muzny (father) conveyed by deed in 2017 to Vernon Muzny II (son) and Sandra Kay Muzny (mother). The 2.72 acres has frontage along Hwy 76. In 2018, Vernon Muzny (father), sold the remaining 7.3 acre portion on the East side of the creek with access from Ponderosa Lane to Daniel Trent by deed. Neither of these transactions were brought to the attention of the City. Vernon Muzny II (son) and Sandra Kay Muzny (mother) are now attempting to sell the 2.72 acre tract to a buyer but the mortgage company researched and found that the Lot Split had not been performed and are now requiring them to achieve it. The issue initially was the fact that this Lot Split is dealing with two separate property owners, the Muznys and Daniel Trent, with Daniel Trent not able to

be reached to participate in the Lot Split. A conversation with David Perryman, City Attorney, found a means of using a document called a Certificate of Lot Split in order to still have the Lot Split performed and recorded of record so that both the Muzny and Trent portions of the property will be a part of the split. The Muzny's would record this certificate, if the Lot Split is approved by the Planning Commission. Both tracts would meet the minimum requirements of the A-1, Agricultural Zoning District (minimum 2.5 acres or more). See the attached map to visualize the proposed Lot Split.

Site Location & Description

The property is located in the SW/4 of Section 32, Township 9 North, Range 4 West, of the Indian Meridian, McClain County, Oklahoma.

Public Notification

None required.

Zoning Code & General Plan Conformance

The current land use of the property is rural residential (see Page 25, 2020 Comprehensive Plan Update). The Future land use of the subject property is designated as the same.

Utilities

The subject property is located along a 12" water line but located outside of the municipal sewer service area.

Protest of Application

None reported.

Attachments

A. Application.
B. Map

Prepared by:

Ryan Conner - City Planner

N
Sleepy Hollow Rd
Council Ave N
Ponderosa Ln
2.72 ac
7.3 ac
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

I-2012-003538 Book 2051 Pg: 130
04/11/2012 10:59 am Page(s) 130-130
Fee: $ 13.00 Doc: $ 0.00
Phyllis Bennett - McClain County Clerk
State of Oklahoma

8.00

by KE Deputy
Return to:
ARCO

SPECIAL FORM

WARRANTY DEED

(JOINT TENANCY)

KNOW ALL MEN BY THESE PRESENTS:

THAT Federal Home Loan Mortgage Corporation, party of the first part, in consideration of the sum of Ten dollars and Zero cents in hand paid, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey unto Vernon J. Muzny and Sandra K. Muzny, husband and wife of McClain County, State of Oklahoma, as joint tenants and not as tenants in common, with the right of survivorship, the whole estate to vest in the survivor in event of the death of either, parties of the second part, the following described real property and premises situate in McClain County, State of Oklahoma, to-wit:

The North Half (N/2) of the Northeast Quarter (NE/4) of the Southwest Quarter (SW/4) of the Southwest Quarter (SW/4) and the North Half (N/2) of the Northwest Quarter (NW/4) of the Southwest Quarter (SW/4) of the Southwest Quarter (SW/4) of Section Thirty-two (32), Township Nine (9) North, Range Four (4) West of the Indian Meridian, McClain County, Oklahoma.

Return to: Vernon J. Muzny,
7219 N. Council
Blanchard, OK 73010

SUBJECT TO easements, restrictions, and mineral conveyances of record.

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same to be free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature made or suffered to be made by the party of the first part..

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as such joint tenants, and to the heirs and assigns of the survivor.

Signed and delivered this 4 day of April, 2012.

Federal Home Loan Mortgage Corporation
By Chicago Title Insurance Company, Its
attorney in fact

By Melissa Harvey
Name: Melissa Harvey
Title: AVP

STATE OF PA)
COUNTY OF Beaver) ss:

CORPORATION ACKNOWLEDGEMENT
Oklahoma Form

Before me, the undersigned, a Notary Public, in and for this State, on this 4 day of April, 2012 personally appeared Melissa Harvey as AVP of Chicago Title Insurance Company to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its attorney in fact and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires: 4/7/2015 Christina Michelle McCartney
Notary Public

File # 1108566

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Christina Michelle McCartney, Notary Public
Hopewell Twp., Beaver County
My Commission Expires April 7, 2015
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Filed by
McClain
County Clerk
Book 2051
Page 130
Date 4/11/12
Time 10:59 a.m.

8.00

I-2017-017960 Book 2425 Pg: 173
11/21/2017 8:00 am Page(s) 173-173
Fee: $ 13.00 Doc: $ 0.00
Pam Beller - McClain County Clerk
State of Oklahoma

By SS Deputy
Return to:
Vernon Muzny II

JOINT TENANCY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That **Vernon J. Muzny and Sandra K. Muzny, husband and wife,** hereinafter referred to as Grantor, for and in consideration of the sum of Ten and no ($10.00) Dollars to us paid **by Vernon Joe Muzny, II and Sandra Kay Muzny, son and mother, as joint tenants,** and not as tenants in common with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, hereinafter referred to as Grantees, the receipt of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said Grantees, their heirs, successors and assigns, forever:

A tract of land out of the North Half of the North Half of the Southwest Quarter of the Southwest Quarter (N½ N½ SW¼ SW¼) in Section 32, Township 9 North, Range 4 West, McClain County, Oklahoma, described by metes and bounds as follows:

Beginning at the NW/Corner of the N½ N½ SW¼ SW¼ of Section 32; thence N 89°56'34" E along the North line of the N½ N½ SW¼ SW¼ for a distance of 331.47 feet; thence S 6°20'52" E for a distance of 88.63 feet; thence S 9°52'39" E for a distance of 96.63 feet; thence S 13°42'58" E for a distance of 151.55 feet; thence S 89°55'55" W along the South line of the N½ N½ SW¼ SW¼ for a distance of 393.07 feet to the SW/Corner of the N½ N½ SW¼ SW¼; thence N 00°07'25" W along the West line of the N½ N½ SW¼ SW¼ for a distance of 330.67 feet to the point of beginning.

SURFACE ESTATE ONLY, Less and except all of the oil, gas, and other minerals in and under the above property, which have heretofore been reserved or conveyed or which are reserved by the Grantor(s) herein. **It is the intention of the Grantor(s) to convey to the Grantee(s) the surface and surface rights only** in and to the above described real property.

This conveyance is made subject to easements, restrictions, covenants, and conditions of record, including matters shown on recorded plats.

GRANTEES' ADDRESS: 7219 N. Council Ave., Blanchard 73010

Doc Stamps exempt per Oklahoma Statute 68, 22 No. 4

TOGETHER with all the improvements thereon and appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said grantees, as joint tenants, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this 21st day of November, 2017.

Vernon J. Muzny

Sandra K. Muzny

STATE OF OKLAHOMA, COUNTY OF MCCLAIN

The foregoing instrument was acknowledged before me this 21st day of November, 2017 by **Vernon J. Muzny and Sandra K. Muzny, husband and wife**

DEBRA W. KORSACK NOTARY PUBLIC 07010846 EXP. 11/8/19 STATE OF OKLAHOMA

NOTARY PUBLIC

Filed by McClain County Clerk
Book 2425
Page 173
Date 11/21/17
Time 8:00am

21

11/16/2018 8:00 am Page(s) 426-426
Fee: $ 13.00 Doc: $ 109.50
Pam Beller - McClain County Clerk
State of Oklahoma

By _____, Deputy
Return to: AACo

COUNTY CLERK
MCCLAIN COUNTY, OK

Return to: 7101118000624
CHICAGO TITLE OKLAHOMA
3401 NW 63RD ST., STE. 300
OKLAHOMA CITY, OK 73116

(Individual Form)
WARRANTY DEED
(Oklahoma Statutory Form)

KNOW ALL MEN BY THESE PRESENTS:

THAT **Vernon J. Muzny and Sandra K. Muzny, husband and wife** party of the first part, in consideration of the sum of Ten And No/100 Dollars ($10.00) and other valuable considerations to it in hand paid, the receipt of which is hereby acknowledged does hereby grant, bargain, sell and convey unto **Daniel J. Trent,** party of the second part, the following described real property and premises situate in McClain County, State of Oklahoma, to-wit:

A tract of land in the North Half of the North Half of the Southwest Quarter of the Southwest Quarter (N½ N½ SW¼ SW¼) in Section 32, Township 9 North, Range 4 West, McClain County, Oklahoma, described by metes and bounds as follows: Beginning at the NE/Corner of the N½ N½ SW¼ SW¼ of Section 32, Township 9 North, Range 4 West, thence S 00°06'14" E along the East line of the N½ N½ SW¼ SW¼ for a distance of 330.40 feet; thence S 89°55'55" W along the South line of the N½ N½ SW¼ SW¼ for a distance of 927.80 feet, thence N 13°42'58" W for a distance of 151.55 feet, thence N 9°52'39" W for a distance of 96.63 feet, thence N 6°20'52" W for a distance of 88.63 feet, thence N 89°56'34" E along the North line of the N½ N½ SW¼ SW¼ for a distance of 989.51 feet to the point of beginning.

Subject to easements, rights of way and restrictive covenants of record. Less and except all oil, gas and other minerals previously reserved or conveyed of record.

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, its successors, heirs and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Signed and delivered November 8, 2018.

Vernon J. Muzny

Vernon J. Muzny

Sandra K. Muzny

Sandra K. Muzny

The State of OKLAHOMA

INDIVIDUAL ACKNOWLEDGMENT

County of CLEVELAND

Before me, the undersigned, a Notary Public, in and for said County and State, on this 8 day of Nov, 2018 personally appeared Vernon J. Muzny and Sandra K. Muzny, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that (he/she/they) executed the same as (his/her/their) free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public in and for the State of OKLAHOMA
Notary's Printed Name: Amy D. Jones
Notary's Commission Expires: March 17, 2019

AMY D. JONES
NOTARY
03004473
EXP. 03/17/19

Mail Deed and Tax Statements To:
Daniel J. Trent

Presented for filing by and return to:
Chicago Title Oklahoma Co

CONSENT AGENDA

CONSENT AGENDA

C-1

MINUTES

PLANNING COMMISSION OF BLANCHARD, OKLAHOMA
REGULAR MEETING
6:30 P.M. Thursday
9 July 2020
Blanchard Municipal Court
300 N. Main Street
Blanchard, Oklahoma 73010

IN COMPLIANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, THE PLANNING COMMISSION OF THE CITY OF BLANCHARD, OKLAHOMA, WILL HOLD A REGULAR MEETING ON THURSDAY, 9 JULY 2020 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS OF THE BLANCHARD MUNICIPAL COURT HOUSE LOCATED AT 300 N. MAIN STREET, BLANCHARD, OKLAHOMA. THE AGENDA WILL CONSIST OF DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

A. MEETING CALL TO ORDER:

1. **Call to Order** by Vice-Chairman Smith at 6:35pm

2. **Roll Call:**
   D Smith, Vice-Chairman – Present
   Steve Gee - Present
   Lesley Franklin – Present
   Jeff Tompkins, Chairman – Absent
   Audie Ward – Absent

Staff: Ryan Conner – City Planner
Diana Daniels – Administrative Coordinator

Ex Officios: Jim Cloud - Councilman

3. **Determination of Quorum:** 3 – Present 2 - Absent

B. BUSINESS AGENDA: the following item(s) are hereby designated for discussion, consideration and take INDIVIDUAL action as deemed

1. **CONSIDERATION AND APPROPRIATE ACTION – LOT SPLIT.**
   Discussion and consideration regarding approval or denial of the submitted Lot Split application submitted by:

   Applicant: Richard and Kathleen Henderson
   Location: 2060, 2128, 2154, 2194 N. Morgan Ave
   Original Tract: One (1) 5 acres MOL

Proposed Tracts: Three (3) 1.0006 acres MOL
3.5326 acres MOL
1.0025 acres MOL

MOTION by Commissioner Gee and SECOND by Commissioner Franklin to approve the Lot Split application as submitted.

VOTE: Franklin – Aye
Gee – Aye
Smith – Aye

Motion passes.

2. **CONSIDERATION AND APPROPRIATE ACTION – DISCUSSION.**
Discussion regarding draft amendments to the Zoning Regulations relating to moving pods and shipping containers.

Discussion will be continued to later meetings. No action taken.

C. CONSENT AGENDA: the following item(s) are hereby designated for approval, acceptance or acknowledgment by one motion, SUBJECT to any conditions included therein. If any item(s) do not meet with the approval of all members, that item(s) will be heard in regular order:

1. **Approval of Minutes for regular meeting of June 11th, 2020.**

MOTION by Vice-Chairman Smith and SECOND by Commissioner Gee to approve the Consent agenda as submitted.

VOTE: Franklin – Aye
Gee – Aye
Smith – Aye

Motion passes.

D. COMMISSIONER/STAFF COMMENTS: This item is listed to provide an opportunity for the commissioners and/or city staff to make comments and/or request specific agenda items. NO ACTION will be taken.

None.

E. ADJOURNMENT

Adjourned at 6:58pm

_____
Chairman

ATTEST: Seal

_____
Secretary

CONSENT
AGENDA

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PLANNING COMMISSION

	01/09/20	02/13/20	03/12/20	04/09/20	05/14/20	06/11/20	07/09/20	08/13/20	09/10/20	10/08/20	11/10/20	12/08/20	4-Mo	Overall 2020
Tompkins, J	P	P	A	**o**	**P**	**P**	**A**						**67%**	**67%**
Ryans, A	P	P	P	**o**	**P**	**N/A**	**N/A**						**100%**	**100%**
Franklin, L	N/A	N/A	N/A	**N/A**	**N/A**	**P**	**P**						**100%**	**100%**
Smith, D	P	P	A	**o**	**P**	**P**	**P**						**100%**	**83%**
Gee, S	P	P	P	**o**	**P**	**P**	**P**						**100%**	**100%**
Ward, A	N/A	P	P	**o**	**P**	**P**	**A**						**67%**	**80%**

P=Present, A=Absent, O=No Meeting, @=No Quorum, *=Special Meeting, NA=Not Applicable

COMMISSIONER – STAFF COMMENTS

ADJOURNMENT