

## CHAPTER 1

### CITATION, PURPOSE, NATURE AND APPLICATION OF ZONING ORDINANCE

#### SECTION 1. CITATION

This Ordinance, in pursuance of the authority granted by the Legislature of the State of Oklahoma in Title 11, Article XLIII, 43-101 through 43-109, and Article XLIV, Section 44-101, 44-102 and 44-104 through 44-110 of the Oklahoma Statutes, shall be known as the "Zoning Ordinance of the City of Grove", and may be cited as such.

#### SECTION 2. PURPOSE

The regulations contained herein are necessary to encourage the most appropriate uses of land; to maintain and stabilize the value of the property; to reduce fire hazards and improve public safety and safeguard the public comprehensive and stable pattern of land uses upon which to plan for transportation, water supply, sewerage, schools, parks, public utilities, and other facilities. In interpreting and applying the provisions of this Ordinance, they shall be held to be necessary for the promotion of the public health, safety, comfort, convenience and general welfare.

#### SECTION 3. NATURE AND APPLICATION

This Ordinance classifies and regulates the use of land, buildings, and structures within the corporate limits of the City of Grove, State of Oklahoma, as hereinafter set forth, by dividing the City into zones and regulating therein the use of the land and the use and size of buildings as to height and number of stories, the coverage of the land by buildings, the size of yards and open spaces, the location of buildings, and the density of the population.

Except as hereinafter otherwise provided, no land shall be used and no building, structure, or improvement shall be made, erected, constructed, moved, altered, enlarged, or rebuilt which is designed, arranged, or intended to be used or maintained for any purpose or in any manner except in conformity with the regulations contained herein.

#### SECTION 4. ZONING DISTRICTS

The City of Grove is hereby divided into zones as shown on the Zoning Map, dated 11-30-1985, filed with the City Clerk. The map as amended and all explanatory materials thereof is hereby made a part of this Ordinance. Zoning Districts shall be designated as follows:

##### AGRICULTURE DISTRICTS

A-1 Agriculture District  
RE-1 Residential Estates District

##### RESIDENTIAL DISTRICTS

R-1 Single Family Residential District  
R-1S Single Family Residential District (*Added per Ordinance No. 441, 7/20/1999*)

R-2 Two Family Residential District  
R-3 Multi Family Residential District  
RMH Residential Manufactured Home Park District(*Amended per Ordinance No. 680, 02/04/2014*)  
LFR Lake Front Resort

#### COMMERCIAL DISTRICTS

C-1 Convenience Commercial District  
C-2 General Commercial District  
C-3 Highway Commercial and Commercial Recreational District  
C-4 Limited Commercial District (*Added per Ordinance No. 419, 9/2/1997*)

#### INDUSTRIAL DISTRICTS

I-1 Light Industrial District  
I-2 Heavy Industrial District

Specific district regulations are set forth in Chapters 3 and 4.

#### SECTION 5. INTERPRETATION OF DISTRICT BOUNDARIES

The boundaries of the zoning districts are hereby established as shown on the maps entitled Zoning Districts Maps of the City of Grove, Delaware County, Oklahoma, dated November 30, 1985, which are a part of these regulations and which are on file in the office of the County Clerk. Said maps and all notations, references, data and other information shown thereon shall be and are hereby adopted and made a part of these regulations.

Unless otherwise indicated on the zoning maps, district boundaries are lot lines, the centerlines of streets or alleys or specified distance therefrom, railroad right-of-way lines, or property lines, as they existed at the time of the enactment of these regulations.

Where uncertainty exists as to the boundaries of the zoning districts or when the street or a property existing on the ground is at variance with that shown on the Zoning District Maps, the Board of Adjustment upon written application or upon its own motion, shall determine the location of such boundaries.

#### SECTION 6 INTERPRETATION OF WORDS AND TERMS

Unless otherwise stipulated or required, the following definitions shall be used in the interpretation and construction of the ordinance, and words used in the present tense include the future; shall include the plural, and the plural the singular; the word "building" shall mean as well the word "structure"; the word "used" shall include "arranged", "designed", "constructed", "altered", "converted", "rented", "leased", or "intended to be used", and the word "shall" is mandatory and not directory.

ABUTTING Directly adjacent or contiguous. Property separated by a street or alley is not abutting.

ACCESSORY USE A use, building or structure located on the same lot as the principal use that:

- (a) Is subordinate in area, extent or purpose to, and serves a principal structure and use.
- (b) Is customarily found as an incident to such principal structure of use.
- (c) Contributes to the comfort, convenience or necessity of those occupying, working at or being serviced by such principal structure or use.
- (d) Is, except as otherwise expressly authorized by the provisions of this Ordinance, located on the same zoning lot as such principal structure or use.
- (e) Is under the same ownership or control as the principal structure or use.

ADULT DAY CARE Facilities that offer structured programs with stimulating social activities and health-related and rehabilitation services for the elderly who are physically or emotionally disabled and need a protective environment. The participant is usually brought to the care facility in the morning and leaves in the evening. The facility shall conform to the Assisted Living Federation of America (ALFA), United States Housing and Urban Development (HUD), Oklahoma Department of Human Services, and the Oklahoma State Department of Health regulations, as amended, and in accordance with such standards as may be promulgated.

AIRPORT OR LANDING FIELD A place where aircraft can land and take off that is usually equipped with hangars, facilities for aircraft refueling and repair, and various accommodations for passengers.

AGRICULTURE The use of land for agricultural purposes including farming, pasturage, horticulture, and husbandry. *(Amended per Ordinance No. 744, 1/16/2018)*

ALLEY A minor roadway right-of-way, dedicated to public use, not more than thirty (30) feet wide affording a secondary means of access to abutting property and not intended for general traffic circulation.

AMBULANCE SERVICE Provision of private (not operated by the City of Grove) emergency transportation which may include mobile medical care, and which may include storage and maintenance of vehicles.

AMUSEMENT ARCADE (ALSO VIDEO ARCADE) Any building, room, place or establishment of any nature or kind, and by whatever name called, where more than ten percent (10%) of the public floor area is devoted to three (3) or more amusement devices that are operated for a profit, whether the same is operated in conjunction with any other business or not, including but not limited to such amusement devices as coin-operated pinball machines, video games, electronic

games, shuffle boards, pool tables or other similar amusement devices. However, the term "amusement device", as used herein, shall not include musical devices, billiard tables which are not coin-operated, machines that are designed exclusively for small children, and devices designed to train persons in athletic skills or golf, tennis, baseball, archery or other similar sports.

AMUSEMENT, COMMERCIAL (INDOOR) An amusement enterprise that is wholly enclosed within a building which is treated acoustically so that noise generated by the enterprise is not perceptible at the bounding property line, and that provides activities, services and/or instruction for the entertainment of customers or members, but not including amusement arcades. Uses may include, but are not limited to, the following: bowling alley, ice skating rink, martial arts club, racquetball/handball club, indoor tennis courts/club, indoor swimming pool or scuba diving facility, and other similar types of uses.

AMUSEMENT, COMMERCIAL (OUTDOOR) An amusement enterprise offering entertainment and/or games of skill to the general public for a fee wherein any portion of the activity takes place outdoors and including, but not limited to, a golf driving range, archery range, miniature golf course, batting cages, go-cart tracks, amusement parks, and other similar types of uses.

ANIMAL BOARDING HOUSE An establishment where meals and/or lodging are provided on a temporary basis for domesticated animals.

ANIMAL GROOMING FACILITY An establishment, which provides the service of grooming (cleaning and/or maintaining the appearance of) domesticated animals.

ANIMAL HOSPITAL See Veterinary Clinic.

ANTIQUÉ SHOP, SALES INDOORS A retail establishment engaged in the selling of works of art, furniture and/or other artifacts of an earlier period, with all sales and storage occurring inside a building.

ART GALLERY OR MUSEUM An institution for the collection, display and/or distribution of objects of art or science, and which is typically sponsored by a public or quasi-public agency and generally open to the public.

ASSISTED LIVING A facility that offers a special combination of housing, personalized supportive services and health care designed to meet the needs -- both scheduled and unscheduled -- of those who need help with activities of daily living. Services provided in Assisted Living residences usually include:

- Three meals a day served in a common dining area
- Housekeeping services
- Transportation
- Assistance with eating, bathing, dressing, toileting and walking
- Access to health and medical services

- 24-hour security and staff availability
- Emergency call systems for each resident's unit
- Health promotion and exercise programs
- Medication management
- Personal laundry services
- Social and recreational activities

The facility shall conform to the Assisted Living Federation of America (ALFA), United States Housing and Urban Development (HUD), Oklahoma Department of Human Services, and the Oklahoma State Department of Health regulations, as amended, and in accordance with such standards as may be promulgated.

AUTOMOTIVE WASH, ATTENDED The owner of the vehicle does not actually wash the vehicle. Instead, he either leaves the vehicle and comes back to retrieve it later, or he waits in a designated area while employees of the car wash facility vacuum, wash, dry, wax and/or detail the vehicle for a fee.

AUTOMOTIVE WASH, UNATTENDED The owner of the vehicle causes the vehicle to become washed. One type of unattended car wash facility utilizes automated self-service (drive-through/rollover) wash bays and apparatus in which the vehicle owner inserts money or tokens into a machine, drives the vehicle into the wash bay, and waits in the vehicle while it is being washed. The other type of unattended facility is comprised of wand-type self-service (open) wash bays in which the vehicle owner drives the vehicle into the wash bay, gets out of the vehicle, and hand washes the vehicle with a wand-type apparatus by depositing coins or tokens into a machine.

AUTO PARTS AND ACCESSORY SALES The use of any building or other premise for the primary inside display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles.

AUTO RENTAL Renting of automobiles and light trucks.

AUTO SALES (NEW) Retail sales of new automobiles or light load vehicles, including, as a minor part of the business, the sales of used automobiles or light load vehicles and the service of new or used vehicles.

AUTO SALES (USED) Retail sales, or offering for sale, used automobiles or light load vehicles.

AUTO SALVAGE YARD A place where waste, discarded or salvage materials are bought, sold, exchanged, bailed, packed, disassembled or handled, including all wrecking yards, house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawn shops and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, or salvage material incidental to manufacturing operations.

AUTO STORAGE OR AUTO AUCTION The storage or impoundment, of operable automobiles for the purpose of holding such vehicles for sale, distribution and/or storage. This definition shall not include the storage of wrecked or inoperable vehicles (see "Salvage Yard").

AUTOMOBILE A self-propelled mechanical vehicle designed for use on streets and highways for the conveyance of goods and people including but not limited to the following: passenger cars, light duty trucks and sport utility vehicles, vans and mini-vans, motor scooters and motorcycles.

AUTOMOBILE ACCESSORY INSTALLATION Installation of automobile accessories such as car alarms, radio and stereo equipment, window tinting, pin striping, cellular telephones and similar accessories.

AUTOMOBILE REPAIR GARAGE An establishment providing major or minor automobile repair services to all motor vehicles except heavy load vehicles.

AUTOMOTIVE SERVICE STATION A building or premises used for the retail dispensing or sales of gasoline and/or fuel, lubricants, oil, grease, batteries, tires and automobile accessories, in addition, the automotive services may be rendered, including but not limited to:

- Servicing of spark plugs, batteries, and distributors.
- Tire servicing and repair.
- Replacement or adjustments of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors, and the like.
- Radiator cleaning and flushing; provision of water, antifreeze and the like.
- Greasing and lubrication.
- Providing and repairing fuel pumps, oil pumps and lines.
- Servicing and repair of carburetors.
- Adjusting and repairing brakes.
- Provision of beverages, packaged foods, tobacco, lottery tickets and similar convenience goods for gasoline supply station customers, but only as accessory and incidental to the principal operation.
- Provision of road maps and other informational material to customers and restroom facilities.

AWNING/CANOPY Any structure providing overhead cover along any side of a building which: a) has a cover made of cloth or metal; b) has metal frames supporting the cover that attach to a building at one end and has vertical supports attached to the ground at the other end; c) and extends over a private or public sidewalk area, which may or may not be capable of being raised to a position flat against the building when not in use.

BAKERY, RETAIL A facility less than 1,500 square feet for the production and/or sale of baked goods.

**BAKERY, WHOLESALE OR COMMERCIAL** A manufacturing facility over 1,500 square feet for the production and distribution of baked goods and confectioneries to retail outlets.

**BAR** See "Tavern".

**BARBER/BEAUTY SHOP** an establishment where services such as hairdressing, facials, and manicures are provided; may include retail sales of beauty products.

**BARN** A structure intended for the purpose of storing farming and ranching related equipment and/or housing livestock.

**BASEMENT OR CELLAR** A story wholly or partly underground whose finished floor elevation is below mean lot elevation. For purposes of height measurement a basement shall be counted as a story when more than one half (1/2) of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.

**BED AND BREAKFAST ESTABLISHMENT** A commercial establishment with five (5) or less units for rent that provides a combination of overnight lodging, off-street parking, and breakfast for a fee. Any such establishment that has more than five (5) units for rent to guest shall be considered to be either a motel or hotel. Site plans to be provided of the proposed parking with no more than five parking spaces for guest in addition to other required parking spaces.

**BILLARD/POOL HALL** An establishment where people gather for playing cue sports, such as pool, snooker or carom billiards; also darts, foosball and other games.

**BLACKSMITH/WELDING SHOP** An establishment creating objects from iron or steel by forging the metal by using tools to hammer, blend, cut and otherwise shape the metal in its non-liquid form. The metal is heated until it glow red or orange as part of the forging process. Items produced include wrought iron gates, grills, railings, light fixtures, furniture, sculpture, tools, agricultural implements, decorative items, etc.

**BLOCK** In describing the boundaries of a district the word "block" refers to the legal description. In all other cases the word "block" refers to the property abutting on one side of the street between two (2) intersection streets or a street and a railroad right-of-way or watercourse.

**BOARD OF ADJUSTMENT** A board which is appointed by the City Council, and which is authorized to make special exceptions to the Zoning Ordinance (i.e., variances), and to hear and decide any appeals that allege error in an order, requirement, decision or determination made by an administrative official in the enforcement of the Zoning Ordinance. Also referred to as the "BOA."

**BOARDING HOUSE AND ROOMING HOUSE** Where meals or lodging are provided for persons other than the family or their relation excluding facilities for transient persons such as hotels, motels, inns and other such facilities.

**BUILDING** Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.

**BUILDING, ACCESSORY** A subordinate building, enclosed by four walls and a roof, located on the same lot with the main building, occupied by, or devoted to, an accessory use. When an accessory building is attached to the main building in a substantial manner, as by a wall or roof, such accessory building shall be considered part of the main building.

**BUILDING, HEIGHT** The vertical measurement of any building or structure on any parcel of land measured from the average elevation of the lot or parcel to the uppermost point of the structure or building.

**BUILDING, INSTITUTIONAL** Any building organized, established, used or intended to be used for the promotion of a public, religious, education, charitable, cultural, social, philanthropic activities normally operated on a non-profit basis.

**BUILDING LINE** A line established beyond which no part of a building shall project, except as otherwise provided by this ordinance.

**BUILDING, MAIN OR PRIMARY** A building in which the principal use of the lot on which it is situated is conducted. In a residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.

**BUILDING MATERIALS AND HARDWARE SALES (INDOOR OR OUTDOOR)** Materials, tools, and/or hardware customarily used in the construction of buildings and other structures, including facilities for storage of materials for retail sales. Sometimes referenced as a "home improvement center". "Outdoor" means the storage of materials and products outside of the main building.

**BUILDING, NON-RESIDENTIAL** Any building that is not designed for or used exclusively for residential purposes by one or more persons. Cabins, boarding rooms/homes, motel, hotel, or facilities providing in-patient health services to individuals such as hospitals, convalescent, rest or nursing homes are considered non-residential buildings.

**BUILDING SITE** - See "Lot" definition.

**BULLETIN BOARD** Any board or sign erected for announcement purposes.



BUS STATION OR TERMINAL - Any premises for the transient housing and/or parking of motor-driven buses and the loading and unloading of passengers.

CABIN: A small stick-built structure located in a Resort and designed to provide Temporary Lodging to guests for an established rate or fee. The structure shall be built in compliance with city code. *(Added per Ordinance No. 693, 01/20/2015)*

CARPORT A structure that is open on a minimum of two sides and designed or used to shelter vehicles. Also called "covered parking area."

CEMETERY OR MAUSOLEUM Land used or intended to be used for the burial of deceased humans and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

CEMETERY, ANIMAL Same as cemetery except only for the burial of deceased animals.

CERTIFICATE OF OCCUPANCY An official certificate issued by the City which indicates conformance with the zoning regulations and building codes and which authorizes legal use of the premises for which it is issued.

CHILD CARE CENTER, COMMERCIAL Any non-residential facility which receives five or more children under the age of sixteen (16) years, for care apart from their natural parents, legal guardians or custodians, and received for regular periods of time for compensation; provided, however this definition shall not include public and private schools, organized, operated or approved under the laws of this state, custody of children fixed by a court, children related by blood or marriage within the third degree to the custodial person, or to churches or other religious or public institutions caring for children within their institutional buildings while their parents or legal guardians are attending services or meetings or classes and other church activities. A facility that conforms to the State of Oklahoma Department of Human Services regulations as amended, and in accordance with such standards as may be promulgated by the Oklahoma Department of Health.

CHILD CARE FACILITY, RESIDENTIAL A residential facility where children live together with, or are supervised by, adults other than their parents or relatives. A facility that conforms to the State of Oklahoma Department of Human Services regulations as amended, and in accordance with such standards as may be promulgated by the Oklahoma Department of Health.

CHILD CARE HOME, FAMILY A family home, which provides care and protection for seven or fewer children for part of the 24-hour day. The total number of children in a Family Child Care Home includes children under five years of age who live in the home and are present in the home while children are in care, foster children twelve years of age and younger who live in the home and are present in the home while children are in care and the children of any substitute or assistant caregiver. A facility that conforms to the State of Oklahoma Department of Human

Services regulations as amended, and in accordance with such standards as may be promulgated by the Oklahoma Department of Health.

CHILD CARE HOME, LARGE A residential family home that provides care and supervision for eight to twelve children for part of a 24-hour day. The total number of children in a Large Family Child Care Home includes children under five years of age who live in the home and are present in the home while children are in care, foster children twelve years of age and younger who live in the home and are present in the home while children are in care; and the children of any substitute or assistant caregiver. This facility shall conform to the Human Resources Code of the State of Oklahoma, as amended, and in accordance with such standards as may be promulgated by the Oklahoma Department of Human Services.

CHILDREN'S SHELTER Means a non-secure public or private residential program that provides care and supervisions for children usually not exceeding 30 days. A facility that conforms to the State of Oklahoma Department of Human Services regulations as amended, and in accordance with such standards as may be promulgated by the Oklahoma Department of Health.

CHURCH, RECTORY OR TEMPLE A building for regular assembly for religious worship which is used primarily and designed for such purpose and those accessory activities which are customarily associated therewith, and the place of residence for ministers, priests, nuns or rabbis on the premises (tax exempt as defined by State law). For the purposes of this ordinance, Bible study and other similar activities, which occur in a person's primary residence, shall not apply to this definition.

CITY BUILDING INSPECTORThe inspector or administrative official charged with responsibility for issuing permits and enforcing the Building Codes of the City of Grove.

CITY CODE ENFORCEMENT OFFICER The official charged with responsibility of enforcing Zoning Ordinances of the City of Grove.

CITY ENGINEER The city engineer or engineering firm designated by the City of Grove, Oklahoma.

CITY OF GROVE The City of Grove, Oklahoma; sometimes referred to as the "City".

CIVIC CENTER A building or complex of buildings that house municipal offices and services, and which may include cultural, recreational, athletic, food service, convention and/or entertainment facilities owned and/or operated by a municipality.

CIVIC ORGANIZATION An office and/or meeting facility for an organization that operates on a not-for-profit membership basis, which promotes the city and area where it is located. The organization may provided cultural, recreational, tourism and convention services including accessory uses, such as recreational facilities and banquet facilities. *(Amended per Ordinance No. 616, 5/17/2011)*

CLEANING PLANT (COMMERCIAL/WHOLESALE) An industrial facility where fabrics are cleaned with substantially nonaqueous organic solvents on a commercial or wholesale basis.

CLUB A nonprofit association of persons who are bona fide members, paying regular dues, and organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.

COMMUNICATION TOWER/ANTENNA Any exterior structure, whether freestanding or mounted to a building or structure, that facilitates the broadcast transmission or reception of commercial radio, telephone, wireless communications or television communication signals. A communications tower shall not include facilities used solely by "ham" radio operators.

COMMUNITY CENTER (PUBLIC) A building or complex of buildings that house cultural, recreational, athletic, food service and/or entertainment facilities owned and/or operated by a governmental agency or private nonprofit agency.

COMMUNITY HOME A place where not more than six (6) physically or mentally impaired or handicapped persons are provided room and board, as well as supervised care and rehabilitation by not more than two (2) persons as licensed by the Oklahoma Department of Mental Health and Mental Retardation (also the Oklahoma Statutes).

COMPREHENSIVE PLAN Document adopted by the City that consists of graphic and textual policies which govern the future development of the City and which consists of various components governing specific geographic areas and functions and services of the City.

CONCRETE OR ASPHALT BATCHING PLANT (PERMANENT) A permanent manufacturing facility for the production of concrete or asphalt.

CONCRETE OR ASPHALT BATCHING PLANT (TEMPORARY) A temporary manufacturing facility for the production of concrete or asphalt during construction of a project, and to be removed when the project is completed.

CONTINUING CARE RETIREMENT COMMUNITY(CCRC): Is a community that offers several levels of assistance, including independent living, assisted living and nursing home care. It is different from other housing and care facilities for seniors because it usually provides a written agreement or long-term contract between the resident (frequently lasting the term of the resident's lifetime) and the community which offers a continuum of housing, services and health care system, commonly all on one campus or site. The CCRC shall conform to the Assisted Living Federation of America (ALFA), United States Housing and Urban Development (HUD), Oklahoma Department of Human Services, and the Oklahoma State Department of Health regulations, as amended, and in accordance with such standards as may be promulgated.

CONTRACTOR'S SHOP A building, part of a building, or land area for the construction or storage of materials, equipment, tools, products, and vehicles.

CONVENIENCE STORE Retail establishment selling food for off-premises consumption and a limited selection of groceries and sundries (and possibly gasoline, if pumps are provided). Does not include or offer any automobile repair services.

COPY/PRINTING SHOP An establishment, which reproduces in printed form, individual orders from a business, profession, service, industry or government organization and occupies less than 4,000 square feet.

COUNCIL The City Council of Grove, Oklahoma, and includes the use of the words council, city commission, and board of commissioners.

COUNTRY CLUB (PRIVATE) A land area and buildings, which may include a golf course, clubhouse, dining room, swimming pool, tennis courts and similar recreational or service uses available only to members and their guests.

COUNTRY CLUB (PUBLIC) A land area and buildings, which may include a golf course, clubhouse, dining room, swimming pool, tennis courts and similar recreation or service uses available to the public.

COVERAGE The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.

DENSITY The total number of residential buildings allowed upon a given tract of land usually expressed in total number of units per gross acres or net acre.

DETACHED Having no physical connection with any other building or structure.

DILAPIDATED STRUCTURE A structure as defined by the Oklahoma State Statutes, 11 O.S. (Supp. 2008) §22-112 C. 1., and, without limitation of the foregoing, shall be construed to include within its meaning a structure that through neglect or injury lacks necessary repairs or otherwise is in a state of decay or partial ruin to such an extent that the structure is a hazard to the health, safety, or welfare of the general public, as determined by the City of Grove Code Enforcement Officer or Building Inspector.

DISTRIBUTION CENTER Building or facility used for the storage and distribution of wholesale items/products.

DRIVING RANGE: A practice range for practicing golf shots. *(Added per Ordinance 574, 1/20/2009)*

**DWELLING** A building, or portion thereof, which is designed and intended for habitation by one (1) family. “Dwelling” shall exclude hotels, motels, bed and breakfast establishments, apartment hotels, boardinghouses and lodging-houses.

**DWELLING, DOWNTOWN** Residential dwelling units located in the C-2 General Commercial District designed to be occupied by single family and multiple families living independently of one another, includes traditional apartments. “Downtown Dwelling” shall exclude hotels, motels, bed and breakfast establishments, boardinghouses and lodging-houses. *(Amended per Ordinance No. 638, 03/20/2012)*

**DWELLING, DUPLEX** A detached building containing two (2) dwellings surrounded by yards.

**DWELLING, MULTI-FAMILY** Three or more dwelling units on a single lot designed to be occupied by three or more families living independently of one another, exclusive of hotels or motels. Includes three-family units (triplex) and four-family units (quadriplex), as well as traditional apartments.

**DWELLING, SINGLE FAMILY** A detached building containing only one (1) dwelling surrounded by yards. Travel trailers, housing mounted on self-propelled or drawn vehicles, tents, or other forms of temporary housing or portable housing are not included in this definition.

**DWELLING, SINGLE FAMILY GARAGE APARTMENT** A dwelling for one (1) family attached to or over a garage but not attached to the main residential structure.

**DWELLING, SINGLE FAMILY PATIO HOME (ZERO-LOT-LINE DWELLING)** A single-family dwelling on a separately platted lot which is designed such that one side yard is reduced to zero feet in order to maximize the width and usability of the other side yard, and which permits the construction of a detached single-family dwelling with one side (i.e., wall) of such dwelling placed on the side property line.

**DWELLING, SINGLE-FAMILY (TOWNHOUSE-ATTACHED)** A dwelling which is joined to another dwelling at one or more sides by a party (i.e., shared) wall, which is designed for occupancy by one family, and which is located on a separate lot delineated by front, side and rear lot lines.

**EASEMENT** A grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

**EXCEPTION** A variance from the requirements of this ordinance properly authorized by the Board of Adjustments.

**EXHIBITION AREA** An area or space either outside or within a building for the display of topic-specific goods or information.

**FAMILY** A person living alone or two or more persons living together, related by blood or marriage, as a single housekeeping unit using a single facility for culinary purposes in a dwelling unit, as distinguished from a group occupying a boarding house, lodging house, motel, hotel, fraternity house, or sorority house.

**FARMERS MARKET**: A group of three or more farmers, growers or producers from the Craig, Delaware, Mayes or Ottawa County area that gather at one designated fixed site on a regularly scheduled basis to sell non-potentially hazardous farm food products and whole-shell eggs to the public. (*Added per Ordinance No. 693, 01/20/2015*)

**FEED AND GRAIN STORE** An establishment for the selling of corn, grain and other food stuffs for animals and livestock, and including implements and goods related to agricultural processes, but not including farm machinery.

**FENCE** A structure erected to provide privacy or security, which encloses a private space. A wall or similar barrier shall be deemed a fence.

**FINANCIAL INSTITUTION** A building, property or activity, the principal use or purpose of which is the provision of financial services including, but not limited to, banks facilities for automated teller machines ("ATMs"), credit unions, savings and loan institutions, and mortgage companies.

**FLAMMABLE LIQUID** Any liquid that has a flash point below 100 degrees F., and has a vapor pressure not exceeding 40 psi at 100 degrees F.

**FLEA MARKET** A building or outside area devoted to sales of new and used merchandise by independent vendors with individual stalls, tables or other spaces.

**FLOOD PLAIN** An area of land subject to inundation by a 100-year frequency flood as determined using standard engineering practices and generally as shown on the FIRM Flood Insurance Rate Map of the City of Grove.

**FLOODWAY** The channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increased in flood height.

**FLOOR AREA** The total gross square feet of floor space within the outside dimensions of a building including each floor level, but excluding carports, residential garages, and breezeways.

**FLOOR AREA RATIO** The numerical value obtained by dividing the gross floor area of a building or buildings by the lot area on which such building or buildings are located.

**FLORIST SHOP** An establishment for the display and retail sale of flowers, small plants and accessories.

FLOWAGE EASEMENT Property that is owned by the Army Corp of Engineers and is the area located around Grand Lake that is normally between the 750' and 757' elevation; flowage easement may vary from location to location around the lake.

FOOD PROCESSING A manufacturing or light industrial use that primarily deals with the processing and packaging of food (such as dairy or grain) products that are intended for human consumption, but which are not typically sold in volume to end users on the premises. Incidental retail sales of food products (e.g., bread and baked goods, dairy products such as cheese, etc.) created and packaged on the premises may be allowed as an accessory use.

FOOD STORE A retail business establishment that displays and sells consumable goods that are not to be eaten on the premises. Prepared food may be sold only as a secondary or accessory use.

FRATERNAL ORGANIZATION, LODGE, CIVIC CLUB, OR UNION An organized group having a restricted membership and specific purpose related to the welfare of the members such as Elks, Masons, Knights of Columbus, or a labor union.

FRONTAGE The width of a lot measured at right angles to the depth on the front or street side of the lot.

FUNERAL HOME A building used for the preparation of the deceased for burial and display of the deceased and rituals connected therewith before burial or cremation.

FUTURE LAND USE PLAN The Future Land Use Plan of the City of Grove, County of Delaware, State of Oklahoma shall mean the Future Land Use Plan.

FURNITURE/APPLIANCE STORES This group includes retail stores selling new and/or used goods for furnishing the home including, but not limited to furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators, and other household electrical and gas appliances.

GARDEN CENTERA facility which is engaged in the selling of flowers, ornamental plants, shrubs, trees, seeds, garden and lawn supplies, and other materials used in planting and landscaping.

GENERAL RETAIL STORES This major group includes retail stores, which sell a number of lines of primarily new merchandise including but not limited to dry goods, apparel and accessories, furniture and home furnishings, small wares, small appliances, hardware, and food. The stores included in this group are known as department stores, variety stores, general merchandise stores, general stores, etc.

GOLF CART A battery or gas powered non-licensed three or four wheel vehicle used for transporting one or more persons and their equipment around a golf course.

GOLF CART SALES/REPAIR Retail sales of new or used golf carts and/or the service of new or used golf carts.

GOLF COURSE An area of twenty (20) acres or more improved with trees, greens, fairways, hazards, and which may include clubhouses.

GUEST Any person hiring or occupying a hotel room, motel room, bed and breakfast room, or similar room, for purposes of temporary sleeping or habitation purposes.

HEALTH/FITNESS CLUB Includes, but is not limited to, an establishment which provides facilities and equipment (e.g., gymnasiums, weight rooms, swimming pools/spas, exercise apparatus, instruction/classes, etc.) which are intended to promote health, fitness, weight reduction and/or similar health-related activities. Such facilities may include such accessory uses as food service, sales of sundries and apparel, and child care services, provided that such accessory uses are clearly incidental to the primary use and are for the use of studio patrons only (i.e., not the general public). No outside signage may be used to advertise accessory uses.

HEAVY/FARM EQUIPMENT Equipment such as earth movers, backhoes, cranes, trackhoes, road pavers, asphalt makers, steam rollers, tractors, combines, plows and other similar types of equipment and related materials. *(Added per Ordinance No. 726, 6/21/2016)*

HEAVY MACHINERY SALES AND STORAGE A building or open area used for the display, sale, rental or storage of heavy machinery, tractors or similar machines, or a group of machines which function together as a unit.

HEIGHT The vertical measurement of any building or structure on any parcel of land measured from the average elevation of the lot or parcel to the uppermost point of the structure or building.

HEIGHT LIMIT The limit of height as imposed in this ordinance for any structure or building or permitted use within the zoning district.

HIGHWAY CORRIDOR Any commercially zoned lot or parcel located within the corporate limits of the City of Grove, which has frontage on any U.S. or State Highway.

HOME OCCUPATION Any occupation carried on solely by the inhabitants of a dwelling which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, which does not change the character thereof, and which is conducted entirely within the main or accessory building; provided that no trading and merchandising is carried on and in connection with which there is no display of merchandise or advertising sign other than one nonilluminated name plate, not more than four (4) square feet in area attached to the main or accessory building, and no mechanical equipment is used except such as is customary for purely domestic or household purposes.



HOSPITAL See Medical Facilities.

HOSPITAL, ANIMAL See Veterinarian Clinic

HOTEL A facility offering temporary lodging accommodations or guest rooms on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, housekeeping service and recreational facilities. A guest room shall be defined as a room designed for the overnight lodging of hotel guests for an established rate or fee, but not including trailer court or camp, hospital, asylum, orphanage, or building where persons are housed under a restraint.

HOUSEHOLD APPLIANCE SERVICE AND REPAIR The maintenance and rehabilitation of appliances that are customarily used in the home including, but not limited to, washing and drying machines, refrigerators, dishwashers, trash compactors, ovens and ranges, countertop kitchen appliances, vacuum cleaners, etc., but not including appliances/equipment which have internal combustion engines.

INDUSTRIAL ASSEMBLY USE An industrial use engaged in the fabrication of finished, or partially finished, products from pre-made component parts produced off-site. Assembly use shall not engage in metal stamping, food processing, chemical processing or painting.

INDUSTRIALIZED HOME See "Modular Home".

INDUSTRY Storage, repair, manufacture, preparation of treatment or any article, substance or any commodity for commercial sale.

KENNELS (INDOOR PENS) An establishment with indoor pens in which more than four (4) dogs or domesticated animals more than eight weeks old or older are housed, groomed, bred, boarded, trained and/or sold for commercial purposes.

KENNELS (OUTDOOR PENS) An establishment with outdoor pens in which more than four (4) dogs or domesticated animals more than eight weeks old or older are housed, groomed, bred, boarded, trained and/or sold for commercial purposes.

KIOSK A small, free-standing, one-story accessory structure having a maximum floor area of one hundred (100) square feet and used for retail purposes, such as automatic teller machines or the posting of temporary information and/or posters, notices and announcements. If a kiosk is to be occupied, it shall have a minimum floor area of 50 square feet.

KIOSK, RECYCLING A small-uninhabited structure (120 square feet maximum) or temporary container (e.g., "igloo" or dumpster-type container), which provides a self-service location for the depositing of recyclable materials such as aluminum cans (e.g., "can banks"), glass bottles, magazines/newspapers, metal or plastic containers, etc. Recyclables are picked up periodically from the site. This definition does not include large trailers or manned collection centers.

LABORATORY EQUIPMENT MANUFACTURING A facility that makes or produces equipment or products used for research or testing.

LABORATORY, SCIENTIFIC OR RESEARCH An establishment that engages in research, testing or evaluation of materials or products, but not medical-related.

LANDSCAPING Material such including but not limited to grass, ground covers, shrubs, vines, hedges, trees or palms, and non-living durable materials that are commonly used in landscaping such as, including but not limited to rocks, pebbles, sand, walls or fences, but excluding paving.

LAUNDROMAT, FULL-SERVICE A facility where attendants provide customers with laundry service including but not limited to washing, drying and/or dry clean clothing and other fabrics.

LAUNDROMAT, SELF-SERVICE A facility where patrons wash, dry and/or dry clean clothing and other fabrics in machines that are operated by the patron.

LIQUOR STORE: An establishment that provides retail sales of alcoholic beverages in the original sealed package for off premise consumption. No others merchandise or services shall be rendered on the premises on which retail package alcoholic beverages are sold. (*Added per Ordinance No. 693, 01/20/2015*)

LOADING SPACE An off-street space or berth on the same lot with the building it serves, which allows, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

LOT A platted (as specified in the Oklahoma Statutes and the City of Grove Subdivision Ordinance; as amended) parcel of land that is occupied or intended to be occupied by one main building (or a group of main buildings) and any accessory building(s), which includes such parking, landscaping and open space as are required by this Ordinance or other laws and/or ordinances, and also which has its principal frontage upon a public street.

LOT AREA The total area, measured on a horizontal plane, included within lot lines.

LOT, CORNER A lot, which has at least two (2) adjacent sides abutting on a street.

LOT DEPTH The mean horizontal distance between the front and rear lot lines.

LOT, DOUBLE FRONTAGE A lot having frontage upon two (2) non-intersecting streets, as distinguished from a corner lot.

LOT, FRONTAGE - That dimension of a lot or portion of a lot abutting onto a street, excluding the side dimension of a corner lot.

LOT, INTERIOR A lot other than a corner lot.

LOT, WEDGE SHAPED A lot situated so that the front is either wider or narrower than the rear of the lot.

LOT LINE A line defining the boundaries of a lot.

LOT LINE, CORNER SIDE A lot line abutting a street that is not the front lot line.

LOT LINE, FRONT The narrower side of the lot abutting a public or private street. On a corner lot, the front lot line shall be the lot line abutting a street with the shortest dimension when establishing minimum setback lines.

LOT LINE, REAR A lot line opposite the front lot line and connecting the side lot lines. For triangular lots, the point opposite the front lot line shall be considered the rear lot line.

LOT LINE, SIDE Any lot lines not the front or rear lot line, which connect the front lot line to the rear lot line.

LOTS OF RECORD A separate and distinct parcel on a legally recorded plat filed in the records of Delaware County, State of Oklahoma.

LOT WIDTH The horizontal distance measured between side lot lines parallel to the front lot line, and measured from the point on the building line, which is closest to the front lot line.

MACHINERY RENTAL SHOP - A building or a portion of a building used for the display and rental of tools, machinery and instruments.

MANUFACTURED HOME A residential dwelling in one or more sections built in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C., Section 5401 et seq. and rules promulgated pursuant thereto. *(Amended per Ordinance No. 680, 02/04/2014)*

MANUFACTURED HOME INSTALLER Any person, natural or corporate who meets the county, state and federal regulations to transport and/or set up manufactured homes or mobile homes. *(Added per Ordinance No. 680, 02/04/2014)*

MANUFACTURED HOME LOT OR SPACE A parcel of land located within a Residential Manufactured Home Park, which is designed for the accommodation of one Mobile Home or one Manufactured Home. *(Amended per Ordinance No. 680, 02/04/2014)*

MANUFACTURED HOME PARK, RESIDENTIAL A parcel of land, located within a Residential Manufactured Home Park (RMH) zoned district, which is designed, platted, improved, or intended to be used for short or long-term occupancy by Mobile Homes, Manufactured Homes

or Recreational Vehicles including camping and travel trailers. Spaces, Mobile Homes, Manufactured Homes or Recreational Vehicles may be rented or purchased. Facility may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities. *(Amended per Ordinance No. 680, 02/04/2014)*

MARINA: A dock or basin providing secure moorings for boats and other watercraft, often offering supplies, and other facilities. *(Added per Ordinance No. 693, 01/20/2015)*

MANUFACTURED HOME DISPLAY OR SALES (NEW/USED) The offering for sale, or display of new and/or used manufactured housing units on a parcel of land, but excluding the use of such facilities as dwellings either on a temporary or permanent basis.

MANUFACTURED HOME PARK RESIDENTIAL, NON-CONFORMING: An area of land located within Category 1-Responsible Growth or Category-2 Responsible Growth Area – Wetlands Inventory of the Lake Front Resort District (LFR) District and which was designed, platted, improved or being used for short or long-term occupancy by Mobile Homes, Manufactured Homes or Recreational Vehicles including travel and camping trailers prior to February 4, 2014. *(Added per Ordinance No. 680, 02/04/2014, Amended per Ordinance No. 693, 01/20/2015)*

MANUFACTURING, HEAVY The assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than average impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare, or health and safety hazards, or that otherwise do not constitute "light manufacturing," or any use where the area occupied by outdoor storage of goods and materials used in the assembly, fabrication, or processing exceeds twenty five percent (25%) of the floor area of all buildings on the property. Heavy manufacturing generally includes processing and fabrication of large or bulky products, products made from extracted or raw materials, or products involving flammable or explosive materials and processes which require extensive floor areas or land areas for the fabrication and/or incidental storage of the products.

MANUFACTURING, LIGHT The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication or processing takes place. "Light Manufacturing" generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes that do not require extensive floor area or land area.

MARQUEE Any fixed hood containing a sign or advertising or announcements (other than a canopy or awning) projecting from the wall of a building above an entrance and/or extending over a public area.

**MASONRY CONSTRUCTION** A form of construction composed of brick, stone, decorative concrete block or tile, or other similar building units or materials (or combination of these materials) laid up unit by unit and set in mortar, and shall exclude wall area devoted to doors and windows. As applicable to meeting the minimum requirements for the exterior construction of buildings within each zoning district, this term shall include the following materials:

- (a) Hard fired brick kiln fired clay or slate material; severe weather grade; minimum thickness of three inches; may include concrete brick if it conforms to the same ASTM standards.
- (b) Stone includes naturally occurring granite, marble, limestone, slate, river rock, and other similar hard and durable all-weather stone that is customarily used in exterior building construction; may also include cast- or manufactured-stone product, provided that such product yields a highly textured, stone-like appearance.
- (c) Decorative concrete block Highly textured finish, such as split-face, indented, hammered, fluted, ribbed or similar architectural finish; coloration shall be integral to the masonry material and shall not be painted on.
- (d) Concrete pre-cast or tilt-wall panels only allowed if a highly textured, architectural finish; can be brick-like or stone-like in appearance; coloration shall be integral to the masonry material and shall not be painted on.
- (e) Glass (windows) or Glass blocks or tiles of the type customarily used in exterior building construction; shall not be highly reflective or have a mirror-like finish.

**MASSAGE ESTABLISHMENT** Any place of business in which massage therapy is practiced by a massage therapist, as defined and licensed by State law. "Massage therapy", as a health care service, means the manipulation of soft tissue for therapeutic purposes. The term includes, but is not limited to, effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, and Swedish gymnastics, either by hand or with mechanical or electrical apparatus for the purpose of body message. Massage therapy may include the use of oil, salt glows, heat lamps, hot and cold packs, tub, shower or cabinet baths. Equivalent terms for "massage therapy" are massage, therapeutic massage. Massage and "therapeutic" do not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy, or podiatry is required by law. *(Amended per Ordinance No. 616 – removed Massage Establishment as a sub-category of Medical Facilities and making it a stand-alone term, 5/17/2011)*

**MAXIMUM COVERAGE** The maximum amount of land that may be covered by buildings on any lot.

**MEAN LOT ELEVATION** The average elevation of a lot.

## MEDICAL FACILITIES

- (a) Alcohol, Drug or Psychiatric Institution - An institution offering outpatient treatment to alcoholic, narcotic or psychiatric patients.
- (b) Child Care Treatment Facility - A facility that cares for children under 24-hour medical care whom have emotional, psychological, or mental disorders. A facility that conforms to the State of Oklahoma Department of Human Service regulations as amended, and in accordance with such standards as may be promulgated by the Oklahoma Department of Health.
- (c) Dental Office or Doctors Office - Same as medical clinic.
- (d) Hospital - An institution providing health services primarily for human inpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.
- (e) Medical Clinic or Office - A facility or group of offices for one or more physicians for the examination and treatment of ill and afflicted human outpatients provided that patients are not kept overnight except under emergency conditions.
- (f) Medical Laboratory- An indoor establishment that includes laboratories and/or experimental equipment for medical testing, prototype design and development, and product testing.
- (g) Public Health Center - A facility primarily utilized by a health unit for providing public health services including related facilities such as laboratories, clinics and administrative offices operated in connection therewith.
- (h) Rehabilitation Care Facility - A dwelling unit which provides residence and care to not more than nine (9) persons regardless of legal relationship who have demonstrated a tendency towards alcoholism, drug abuse, mental illness, or antisocial or criminal conduct living together with not more than two (2) supervisory personnel as a single housekeeping unit.
- (i) Rehabilitation Care Institution- A facility which provides residence and care to ten (10) or more persons, regardless of legal relationship, who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct together with supervisory personnel.
- (j) Sanitarium - An institution providing health facilities for inpatient medical treatment or treatment and recuperation making use of natural therapeutic agents.

- (k) Skilled Nursing Facility, Convalescent, Rest or Nursing Home – A residence providing primarily in-patient health care, personal care, or rehabilitative services over a long period of time to persons who are chronically ill, aged or disabled and who need ongoing health supervision but not hospitalization.
  
- (l) Surgical Out-Patient Facility - An establishment offering any type of surgical procedures and related care which, in the opinion of the attending physician, can be performed safely without requiring inpatient overnight hospital care and exclusive of such surgical and related care as licensed physicians ordinarily may elect to perform in their private offices.  
*(Amended per Ordinance No. 616 – removing Massage Establishment as a sub-category of Medical Facilities and making it a stand-alone term, 5/17/2011)*

MEDICAL MARIJUANA CAREGIVER A person that has been issued a medical marijuana license pursuant to Title 63 O.S. §420A *et seq.*

MEDICAL MARIJUANA COMMERCIAL ESTABLISHMENT LICENSE A license issued to a Medical Marijuana Dispensary, Commercial Grower or Processor from the Oklahoma State Department of Health pursuant to Title 63 O.S. §420A *et seq.*

MEDICAL MARIJUANA COMMERCIAL GROWERS An entity that is licensed by the Oklahoma State Department of Health pursuant to Title 63 O.S. §421A, which allows the entity to grow, harvest and package medical marijuana for the purpose of selling medical marijuana to a dispensary, processor or researcher. Growers shall not sell directly to consumers.

MEDICAL MARIJUANA DISPENSARY Any entity that is licensed by the Oklahoma State Department of Health pursuant to Title 63 O.S. §421A which allows the entity to purchase medical marijuana from a Commercial Grower or Processor and sell medical marijuana only to qualified patients and caregivers.

MEDICAL MARIJUANA FOR PERSONAL USE A Qualified Patients grows medical marijuana at its residence for personal use.

MEDICAL MARIJUANA PROCESSOR An entity that is licensed by the Oklahoma State Department of Health pursuant to Title 63 O.S. §423A, which allows the entity to purchase marijuana from a commercial grower, prepare, manufacture, package, sell to and deliver medical marijuana products to a dispensary licensee or other processor licensee; and may process marijuana received from a qualified patient into a medical marijuana concentrate, for a fee.

MEDICAL MARIJUANA QUALIFIED PATIENT A person that has been issued a medical marijuana license pursuant to Title 63 O.S. §420A *et seq.* *(Amended per Ordinance No. 752 – adding definitions for Medical Marijuana establishments 09/04/2018)*

MINI-WAREHOUSE Small individual storage units for rent or lease, restricted solely to the storage of items. The conduct of sales, business or any other activity within the individual storage units, other than storage, shall be prohibited.

MOBILE HOME A residential dwelling fabricated in an off-site manufacturing facility, designed to be a permanent residence, but which is still transportable, that was built prior to the enacting of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C., Section 5401 et seq. *(Amended per Ordinance No. 680, 02/04/2014)*

MOBILE STRUCTURE The same as a mobile home, except that it is used for any purpose other than a residential dwelling unit.

MODEL HOME A dwelling in a developing subdivision, located on a legal lot of record, which is limited to temporary use as a sales office for the subdivision and to provide an example of the dwellings, which have been built, or are proposed to be built within the same subdivision.

MODULAR HOME ALSO CALLED MODULAR PREFABRICATED STRUCTURE OR INDUSTRIALIZED HOME A house that is divided into multiple modules or sections, which are manufactured in a remote facility and delivered to the intended site of use. A Modular Home lacks axles and an automotive-type frame; they are transported on flatbed trucks or towed behind a semi-trailer on a frame similar to that of a trailer. The axles, tongue of the frame, and the frame used for towing purposes shall be removed and the house shall be set on a concrete foundation. The modules are assembled into a single residential building using either a crane or trucks. A Modular Home shall be built to local building codes, and must meet local zoning regulations that pertain to traditional site constructed ("stick built") homes.

MOTEL See Hotel.

MOTOR FREIGHT COMPANY A company using trucks or other heavy load vehicles to transport goods, equipment and similar products. Includes companies that move residential or commercial belongings.

NET SITE AREA A parcel or parcels of land exclusive of rights-of-way, buildable areas and required yards.

NIGHT CLUB An establishment providing social and/or dining facilities, which may provide alcoholic beverage service, to an association of persons, and otherwise falling within the definition of, and permitted under the provisions of the State of Oklahoma and ABLE Commission.

NIGHT CLUB, PRIVATE An establishment providing social and/or dining facilities to members and guests which may provide alcoholic beverage service, to an association of persons, and otherwise falling within the definition of, and permitted under the provisions of the State of Oklahoma and ABLE Commission.



NON-CONFORMING HEAVY/FARM EQUIPMENT: Any piece of heavy/farm equipment located within a *Residential Zoned District* prior to July 1, 2016.(Added per Ordinance No. 726, 6/21/2016)

NONCONFORMING STRUCTURE - Any structure in existence and operating before this Ordinance was enacted, amended or otherwise made applicable to such structures, or which were in existence prior to annexation into the City, but which do not now conform to the regulations of the district in which it is located.

NONCONFORMING USE - Any use in existence and operating before this Ordinance was enacted, amended or otherwise made applicable to such uses, or which were in existence prior to annexation into the City, but which do not now conform to the regulations of the district in which it is located.

NURSERY, PLANT An establishment, including a building, part of a building or open space, for the growth, display and/or sale of plants, shrubs, trees and other materials used in indoor or outdoor planting.

NURSERY SCHOOL An institution or agency which advertises itself as a nursery school, or preschool, is licensed by the State of Oklahoma and emphasizes educational opportunities for more than six (6) children under the age of seven (7). A facility that conforms to the State of Oklahoma Department of Human Services regulations as amended, and in accordance with such standards as may be promulgated by the Oklahoma Department of Health.

NURSING, CONVALESCENT OR REST HOME - See Medical Facility.

OCCUPANCY The use or intended use of the land or buildings by proprietors or tenants.

OFFICE CENTER A building or complex of buildings used primarily for conducting the affairs of a business, profession, service, industry, government or similar entity, that may include ancillary services for office workers such as a coffee shop, newspaper stand, sundries shop, hair/nail salon, etc.

OFFICES, PROFESSIONAL AND GENERAL BUSINESS A room or group of rooms used for the provision of executive, management and/or administrative services. Typical uses include but are not limited to the following services: accounting, investment, architecture, engineering, legal, real estate, administrative, insurance, property management, personnel, travel, secretarial, telephone answering, and business offices of public utilities, organizations and associations, but excluding medical offices.

OFFICE WAREHOUSE An establishment with more than twenty-five percent (25%) of the total floor area devoted to storage and warehousing, but not generally accessible to the public.

OPEN SPACE Land within a lot that is not covered by buildings or pavement.

OUTDOOR SALES AND DISPLAY The use of open areas of the lot for sales or temporary display of finished products for sale to the consuming public.

OUTDOOR STORAGE The use of open areas of the lot for the storage of items used for non-retail or industrial trade, the permanent and/or continuous storage of merchandise inventory, and the storage of bulk materials such as sand, gravel, and other building materials. Outdoor storage shall also include contractor's yards and salvage or recycling areas. Also referred to as open storage.

PAINT SHOP A commercial establishment where painting services are performed (but not automotive-related painting services, which would be included under "Automobile Repair, Major").

PARK OR PLAYGROUND. PRIVATE A recreation facility, park or playground which is not owned by a public agency such as the City or School District, and which is operated for the exclusive use of private residents or neighborhood groups and their guests and not for use by the general public.

PARK OR PLAYGROUND, PUBLIC Publicly owned and operated parks, recreation areas, playgrounds, swimming pools and open spaces that are available for use by the general public without membership or affiliation. This land use shall include special event type uses such as rodeos, concerts, festivals and other special events requiring special event permits, as set forth in the City of Grove's Code of Ordinances.

PARK MODEL HOME: A small pre-manufactured unit located within a Resort or Recreational Vehicle Park that does not exceed 800 square feet when in set-up mode, and is designed to provide Temporary Lodging to guests for an established rate or fee. Porches and decks are not included in the calculation of the square footage allowed. Park Model Homes are constructed under the American National Standard Institute (ANSI) standards. Some units may be built on a chassis or axles and equipped with a hitch. Recreational Vehicles, Trailer Houses, Mobile Homes and Manufactured Homes shall not be considered a Park Model Home. *(Added per Ordinance No. 693, 01/20/2015)*

PARKING, OFF STREET An open area, other than a street or other public way, used for the temporary parking of automobiles and available to the public whether for fee, free or as an accommodation for clients or customers.

PARKING GARAGE An off-street building used for the parking of automobiles available to the public whether for fee, free or as an accommodation for clients or customers.

PARKING SPACE A space with dimensions as defined herein, exclusive of access drives, aisles, ramps, and columns, for the temporary parking of one (1) vehicle under two-ton capacity.

PAWN SHOP An establishment where money is loaned on the security of personal property pledged in the keeping of the owners (pawnbroker). Retail sales of primarily used (i.e., pre-owned) items is also allowed, provided that the sale of such items complies with local, State and Federal regulations

PERMITTED USES The use of a structure, building, or of a tract of land allowed by the use regulations of this ordinance.

PET SHOP A retail establishment offering small animals, fish and/or birds for sale as pets, where such creatures are housed within the building, and which may include the grooming of dogs, cats and similar animals.

PETROLEUM DISTRIBUTION/STORAGE/WHOLESALE FACILITY A facility for the long-term storage and distribution of petroleum that may also involve wholesale sales, but not retail sales, of petroleum and petroleum-based products. No manufacturing or refining of petroleum or petroleum-based products occurs on the premises, only storage and/or distribution functions.

PLANNED DEVELOPMENT DISTRICT Planned associations of uses developed as integral land use units, such as industrial parks or industrial districts, offices, commercial or service centers, shopping centers, residential developments of multiple or mixed housing, including attached single-family dwellings or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or by a combination of owners.

PLANNED UNIT DEVELOPMENT A parcel of land or contiguous parcels of land of a size sufficient to create its own character, controlled by a single landowner or by a group of landowners in common agreement as to control, to be developed as a single entity, the character of which is compatible with adjacent parcels and the intent of the zoning district or districts in which it is located. A planned unit development may include development, which departs from requirements of the applicable district regulations or other requirements of this Ordinance.

PLANNING AND ZONING COMMISSION A board which is appointed by the City Council as an advisory body, and which is authorized pursuant to state statutes to recommend changes in the zoning of property and other planning functions to the City Council. Also referred to as the "Commission."

PLAT A plan showing the subdivision of land, creating building lots or tracts, showing all essential dimensions and other information in compliance with the subdivision standards of the City of Grove, and which is approved by the City of Grove and recorded in the plat records of Delaware County.

PLAYFIELD OR STADIUM (PUBLIC) An athletic field or stadium owned and operated by a public agency (e.g., City of Grove, the School District, etc.) for the general public including a baseball field, soccer field, golf course, football field or stadium which may be lighted for nighttime play.

PLAYFIELD OR STADIUM (PRIVATE) An athletic field or stadium owned and operated by an agency other than the City of Grove or the School District.

PORCH A roofed area, attached to a building at the ground floor level or first floor level, which may either, be fully enclosed with glass or screens or may be open except for railings and support columns.

PREMISES Land together with any buildings or structures situated thereon.

PRIMARY USE The principal or predominant use of any lot or building.

PRODUCE STAND A seasonal use for which the primary purpose and design is to sell fruit, nuts, vegetables and similar foods. No cooking or on-premises consumption of produce occurs on the site.

PROPANE SALES Retail sales of gaseous or liquid substances commonly used for household purposes such as propane and/or butane; does not include the storage, sale or distribution of other types of combustible substances or alternative fuels such as containerized natural gas, etc.

PUBLIC AGENCY BUILDING, SHOP, YARD OR FACILITY Any building, land, area and/or facility (including maintenance/storage yards and shops) which is owned, leased, primarily used and/or occupied by any subdivision or agency of the following: the State of Oklahoma, the United States, or other public utility or agency. Any facility, which is owned, leased, used and/or occupied by the City of Grove, is defined as "Municipal Facility or Use".

PUBLIC/PRIVATE UTILITY BUILDINGS AND STRUCTURES Buildings or structures used in conjunction with the provision of public or private utilities which are not customarily used in conveying or transmitting service to individual lots.

PUBLIC VIEW Public view means areas that can be seen from any public street.

RECREATION CENTER A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities.

RECREATIONAL VEHICLE (RV) A mobile living unit, which is typically used for temporary human occupancy away from the users' permanent place of residence. An RV may also be utilized as a permanent place of residence within districts that allow them to be used as such.

RECREATIONAL VEHICLE/CAMPER SALES AND LEASING An establishment that sells, leases and/or rents new and/or used recreational vehicles, travel trailers, campers, boats/watercraft, and similar types of vehicles.

RECREATIONAL VEHICLE PARK An area or commercial campground designated for recreational vehicles including travel, camper trailers, Tiny Homes on Wheels (THOW) and cabins to reside, park, rent or lease on a short or long-term basis. Facility may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities. *(Amended per Council action 7/18/2023)*

RESIDENCE Same as a dwelling; also, when used with district, an area of residential regulations.

RESIDENTIAL DISTRICT A district where the primary purpose is residential use.

RESORT: A place where people go to vacation. A resort may have various types of *Temporary Lodging* accommodations such as hotels, motels, guest rooms, park model homes and cabins designed for overnight lodging of guests for an established rate or fee. A resort may offer a designated area for *Temporary Recreational Vehicle parking*; the designated area shall not exceed more than ten (10) percent of the entire resort area. The resort may offer additional services, such as a registration office, restaurants, club houses, meeting rooms, golf course, swimming pools, ship stores, marinas, boat docks, boat ramps and other recreational facilities.

- RESORT - TEMPORARY LODGING: Limited overnight accommodations for guests at a resort. To avoid permanent residency at a Resort, guests' stay shall be limited to a maximum of fourteen (14) consecutive days. Guests who stay at the Resort for the maximum days allowed shall be required to vacate the Resort for a minimum of fourteen (14) days before their next overnight stay.
- RESORT - TEMPORARY RECREATIONAL VEHICLE PARKING: Limited overnight parking of Recreational Vehicles (RV) at a resort. To avoid permanent residency at a Resort, RV Parking shall be limited to a maximum of thirty (30) consecutive days. Guests parking their RV for the maximum days allowed shall be required to vacate the Resort for a minimum of fourteen (14) days before they will be allowed to park their RV at the Resort.

*(Added per Ordinance No. 693, 01/20/2015)*

RESTAURANT A building within which there is served a variety of prepared food for consumption primarily on the premises and where more than sixty percent (60%) of the gross volume is derived from the sale of foods served for consumption on the premises.

RESTAURANT, CARRY-OUT An establishment which, by design of physical facilities or by service or packaging procedures, permits or encourages the purchase of prepared, ready-to-eat foods intended to be consumed off the premises.

RESTAURANT, FAST-FOOD An establishment whose principal business is the sale of food and beverages to the customer in ready-to-consume state for consumption either within the restaurant building or for carry out with consumption off the premises, and whose design or principal method of operation permits or encourages self-service, high-turnover dining.

RESTAURANT, WITH DRIVE-THROUGH SERVICE An eating establishment where customers are primarily served at tables or are self-served, where food is consumed on the premises, and which may include a drive-through window(s).

RESTAURANT, WITH NO DRIVE-THROUGH SERVICE An eating establishment where customers are primarily served at tables or are self-served, where food is consumed on the premises, and which do not have a drive-through window.

RESTAURANT, DRIVE-IN SERVICE An eating establishment where food and/or drinks are primarily served to customers in motor vehicles, or where facilities are provided on the premises which encourage the serving and consumption of food in automobiles on or near the restaurant premises.

RETAIL GOODS ESTABLISHMENT A building, property, or activity, the principal use or purpose of which is the sale of physical goods, products, or merchandise directly to the consumer. For personal or household consumption and rendering services incidental to the sale of such goods.

RETAIL SERVICES ESTABLISHMENT A building, property, or activity, the principal use or purpose of which is the provision of personal services directly to the consumer.

RETAIL OR SERVICE, INCIDENTAL The rendering of incidental retailing or services incidental to the primary use. In the Office district, for example, such uses may include a barber/beauty shop; smoke shop, newsstand, candy counter, restaurant, pharmacy or other incidental activity secondary to the primary office occupancy. Incidental uses shall mean uses, which occupy less than fifteen percent (15%) of the main use.

RETIREMENT COMMUNITYA residential complex containing multi-family or single-family dwellings that are specifically designed for and occupied by elderly persons under a Federal, State or local government program or it is occupied solely by persons who are 62 or older or, it houses at least one person who is 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates intent to house persons who are 55 or older. The Retirement Community shall conform to the Assisted Living Federation of America (ALFA), United States Housing and Urban Development (HUD), Oklahoma Department of Human Services, and the Oklahoma State Department of Health regulations, as amended, and in accordance with such standards as may be promulgated.

RIGHT-OF-WAYAny land, property, or interest therein acquired for development of infrastructure which includes, but is not limited to, sidewalks, pathways, streets, highways, rail beds, pipelines, electric power lines and telephone lines.

ROOM A building or portion of a building which is arranged, occupied or intended to be occupied as living or sleeping quarters but not including toilet or cooking facilities.

ROOMING HOUSE See Boarding House.

SCHOOL, BUSINESS A for-profit business that offers instruction and training in a profession, service or art such as a secretarial or court reporting school, barber/beauty college or commercial art school, but not including commercial trade schools.

SCHOOL, VOCATIONAL A for-profit business that offers vocational instruction and training in trades such as welding, brick laying, machinery operation/repair, and similar trades, the courses of which are not generally transferable toward a bachelor's degree.

SCHOOL, PRIVATE (PRIMARY OR SECONDARY) A school under the sponsorship of a private agency or corporation, other than a public or religious agency, which offers a curriculum that, is generally equivalent to public elementary and/or secondary schools.

SCHOOL, PUBLIC OR PAROCHIAL A school under the sponsorship of a public or religious agency which provides elementary and/or secondary curriculum, but not including private business or commercial trade schools.

SCREENED Shielded, concealed, and effectively hidden from the view of a person standing at ground level on an abutting site, or outside the area or feature so screened, by a fence, wall, hedge, berm or similar architectural or landscape feature.

SEASONAL USES Seasonal uses include the sales of items such as Christmas trees, pumpkins, snow cones, fresh produce, and other items, which are typically only available at certain times of the year.

SENIOR CITIZEN Persons who are 55 years or older.

SENIOR HOUSING A residential complex containing multi-family or single-family dwellings that are specifically designed for and occupied by elderly persons under a Federal, State or local government program or it is occupied solely by persons who are 62 or older or, it houses at least one person who is 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates intent to house persons who are 55 or older. The Senior Housing shall conform to the Assisted Living Federation of America (ALFA), United States Housing and Urban Development (HUD), Oklahoma Department of Human Services, and the Oklahoma State Department of Health regulations, as amended, and in accordance with such standards as may be promulgated.

SENIOR HOUSING, ASSISTED LIVING A facility that offers a special combination of housing, personalized supportive services and health care designed to meet the needs of Senior Citizens

-- both scheduled and unscheduled -- of those who need help with activities of daily living. Services provided in Assisted Living residences usually include:

- Three meals a day served in a common dining area
- Housekeeping services
- Transportation
- Assistance with eating, bathing, dressing, toileting and walking
- Access to health and medical services
- 24-hour security and staff availability
- Emergency call systems for each resident's unit
- Health promotion and exercise programs
- Medication management
- Personal laundry services
- Social and recreational activities

The facility shall be specifically designed for and occupied by elderly persons under a Federal, State or local government program or it is occupied solely by persons who are 62 or older or, it houses at least one person who is 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates intent to house persons who are 55 or older. The Assisted Living facility shall conform to the Assisted Living Federation of America (ALFA), United States Housing and Urban Development (HUD), Oklahoma Department of Human Services, and the Oklahoma State Department of Health regulations, as amended, and in accordance with such standards as may be promulgated

SENIOR HOUSING, INDEPENDENT LIVINGIs a residential living setting for elderly or senior adults that may or may not provide hospitality or supportive services. Under this living arrangement, the senior adult leads an independent lifestyle that requires minimal or no extra assistance. Generally referred to as elderly housing in the government-subsidized environment, independent living also includes rental assisted or market rate apartments or cottages where residents usually have complete choice in whether to participate in a facility's services or programs. The Senior Housing shall conform to the Assisted Living Federation of America (ALFA), United States Housing and Urban Development (HUD), Oklahoma Department of Human Services, and the Oklahoma State Department of Health regulations, as amended, and in accordance with such standards as may be promulgated.

SETBACK The distance between a structure and the edge of a lot as specified in the zoning district regulations, it may refer to front, rear or side yard setbacks.

SEXUALLY ORIENTED BUSINESS Any arcade, bookstore, novelty store, video store, cabaret, motel, theater, escort agency, nude model studio, sexual encounter center, or other business that, as one of its principal business purposes, offers for any form of consideration any entertainment, materials, or services that appeal to sexual interest or acts. Any business where more than ten percent (10%) of display space is used for sexually oriented materials shall be presumed to be a sexually oriented business. Any business defined in the Oklahoma State Statutes as a Sexually Oriented Business.



SHIP STORE: A retail store often located near or at a Marina offering boating and watercraft supplies, clothing, food, souvenirs, etc. *(Added per Ordinance No. 693, 01/20/2015)*

SHOPPING CENTER A group of primarily retail and service commercial establishments that is planned, constructed and managed as a total entity, and which provides customer and employee parking on-site, unloading/delivery areas which are separated from customer access, and aesthetically appropriate design and protection from the elements.

SIGHT TRIANGLE The area within a triangle formed by measuring a distance of twenty-five feet (25') along the front and side lot lines of a corner lot formed by two (2) intersecting streets, from their point of intersection, and connecting the points so established to form a triangle on the area of the lot adjacent to the street intersection.

SIGN Any object, device, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business product, service, event, or location by any means including words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or projected images. Signs do not include the pennant, insignia, flag or emblem of any nation, organization of nations, state, city, or any religious, organization.

SIGN, ATTACHED A sign attached to the building.

SIGN, BILLBOARD An off-premise sign or sign structure upon which advertising may be posted, painted or affixed and which is primarily designed for the rental or lease of said sign space for advertising not related to the use of the property upon which the sign is located.

SIGN, COMMERCIAL Any sign which communicates information or directs attention to a profession or business conducted, or to a commodity, service, or activity sold or offered the purpose of which is to secure income, earnings, compensation, or profit.

SIGN, CONSTRUCTION Any temporary sign identifying individuals or companies involved in design, construction, wrecking, financing or development when placed upon the premises where work is under construction, but a multi-faced sign shall be included in the computation of display surface area.

SIGN, DISPLAY AREA The net geometrical area enclosed by the display surface of the sign, including the outer extremities of all letters, figures, delineations and characters; provided however, display surface area shall not include the structural supports for freestanding signs if said structural supports are not arranged to become a part of the attention attracting aspects of the sign; provided further, that all sides of a multi-faced sign shall be included in the computation of display surface area.

SIGN, ELECTRONIC Letters, numerals, or other graphics which are not permanently affixed to a structure and/or set for permanent display and are intended to be alterable through electronic means. Electronically controlled message centers shall be classified as changeable copy signs, not flashing signs. Automobile service station signs displaying the current price of gasoline or other fuels shall not be classified as changeable copy signs.

SIGN, FLASHING Any illuminated sign where each artificial light unit is not maintained in a stationary condition, or where all light units are not constant in intensity and color at all times when such sign is illuminated. Electronic changeable copy signs are not flashing signs.

SIGN, GROUND A sign supported by one or more columns, uprights, poles or braces extended from the ground or from an object on the ground, or sign which is erected on the ground, and not attached to any building.

SIGN, IDENTIFICATION Any sign containing only the name and/or address of the dwelling/building occupant or of the dwelling/building, or of the dwelling/building owner or manager.

SIGN, ILLEGAL Any sign erected in violation of the terms of the City of Grove Zoning Ordinance.

SIGN, ILLUMINATED Any sign illuminated by means of artificial lighting, whether externally or internally illuminated, or illuminated by neon lighting.

SIGN, INFORMATIONAL Signs containing directions or information about public places owned or operated by federal, state or local governments or their agencies, publicly or privately owned natural phenomena, historic, cultural, educational and religious sites, and areas of natural scenic beauty of naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

SIGN, INSTRUCTIONAL Instructional signs which notify or instruct the public as to limitations or regulations relating to designated uses of certain parcels of property or private streets or rights of way, including warning signs, exit signs, traffic signs and directional signs for parking or parking restrictions.

SIGN, MONUMENT Any sign where the full horizontal length of the sign is permanently fixed to a decorative base, the full horizontal length of which is anchored to the ground.

SIGN, MOVING Any sign, which physically moves or rotates in any manner whatsoever, in whole or in part.

SIGN, NON-COMMERCIAL Any sign which communicates information or ideas and is not typically a commercial sign.

SIGN, OFF-PREMISE Any sign, which direct attention to a profession or business, conducted, or to a commodity, service, activity or entertainment sold or offered upon the premises where such sign is located.

SIGN, ON-PREMISE Any sign, which does not direct attention to a profession or business, conducted, or to a commodity, service, activity or entertainment sold or offered upon the premises where such sign is located.

SIGN, POLE Any sign supported by uprights, poles or braces and placed upon the ground and not attached to any building.

SIGN, PORTABLE Any sign which is not permanently attached to the ground, a structure, or any other sign, and which is mounted or designed for mounting on wheels, or which is mounted or designed for mounting on a self-propelled or towed vehicle. Such signs shall include, but not be limited to: mobile advertising signs attached to a truck, chassis, detachable vehicle trailer, or other such mobile signs, but shall not include: signs painted or otherwise inscribed on a self-propelled vehicle or towed vehicle which identifies the product, service, or activity for which the vehicle is used. *(Amended per Ordinance 574, 1/20/2009)*

SIGN, PROJECTING Any sign, which is attached to a building or other structure and extends beyond the line of the building or structure or that portion of the building or structure to which it is attached.

SIGN, REAL ESTATE A sign pertaining to the lease, rental or sale of the premises upon which located.

SIGN, ROOF Any sign erected, constructed and maintained upon, or over, the roof of any building with the principal support on the roof structure. A sign, which is attached to a mansard roof and protrudes, wholly or partially, above the lowest point of the roof of the building or structure to which the mansard roof is attached shall be considered a roof sign.

SIGN, TEMPORARY Any sign, poster, balloon, banner, pennant, streamer, valance or other advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, plastic or other light materials, with or without frames, or any other similar material intended to be displayed for a limited time, announcing, promoting, or advertising events or activities for civic, philanthropic, religious, educational, public, charitable, or other non-profit (per U.S. Code Title 26) organized groups. *(Amended per Ordinance 667, 07/02/2013)*

SIGN, TEMPORARY DIRECTIONAL Any sign intended to be displayed off-premises for a limited time, providing directions to a Real Estate Open House, Auction or Estate Sale advertised by a Commercial Realtor or Auctioneer. *(Added per Ordinance No. 671, 10/15/2013)*

SIGN, UNATTACHED A sign that is not attached to the building.

SIGN, WALL Any sign, which is placed against a building or other structure and attached to the exterior front, rear, or sidewall of any building or other structure, or painted on a wall of a building. A sign attached to a mansard roof and not protruding, wholly or partially, above the lowest point of the roof of the building structure to which the mansard roof is attached shall be considered a wall sign.

SIGN, WINDOW Any sign which is painted on, applied or attached to or located within three feet (3') of the interior of a window.

SITE PLAN An accurately scaled plan that illustrates the existing conditions on a land parcel and the details of a proposed development.

SKILLED NURSING FACILITY See "Medical Facility".

SMALL ENGINE REPAIR SHOP Facility used for the repair of lawn mowers, chain saws, lawn equipment, and other machines.

STABLE, COMMERCIAL A stable used for the rental of stall space or for the sale or rental of horses or mules.

STABLE, PRIVATE An area used solely for the owner's private purposes for the keeping of horses, mules or ponies, which are not kept for remuneration, hire or sale.

STORAGE OR WHOLESALE WAREHOUSE A building used primarily for the storage of goods and materials.

STORY That portion of a building (above grade), other than a basement, that is included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, then the space between the floor and the ceiling above it. The average height for a story shall be defined as twelve feet (12'). The definition of a story does not include parapets, gables and other normal roof structures. In cases where the site has a significant slope, the number of stories (i.e., height) of a building shall be measured from a point representing the average slope from front to back (or side to side) of the building.

STORY, FIRST The lowest story or the ground story of any building, the floor of which is not more than twelve (12) inches below the average contact ground level at the exterior walls of the building; except that any story; provided that a basement or cellar used purely for recreational purposes shall not be deemed the first story.

STORY, HALFA space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet (3') above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half-story containing an independent apartment or self-contained living quarters shall be counted as a full story.

STORY, MEZZANINE A story which covers one-third (1/3) or less of the story directly underneath it.

STREET A public right-of-way more than twenty (20) feet in width which provides a public means of access to abutting property and used primarily for vehicular circulation. The term street shall include avenue, drive, circle, road, parkway, boulevard, land, place, highway, thoroughfare, and any other similar term.

STREETS, ARTERIAL A public right-of-way that has a moderate to high traffic capacity. Carries large volumes of traffic between areas within the city. They are designed to carry traffic throughout the city and have intersection with collector and local streets.

STREET, ARTERIAL (PRIMARY) A public right-of-way more than twenty (20) feet in width which provides a public means of access to abutting property and used primarily for vehicular circulation.

STREET, COLLECTOR A public right-of-way that has a low or moderate capacity and tends to lead traffic from local streets to arterial streets.

STREET, INTERSECTION A street which adjoins another street at an angle whether or not it crosses the other.

STREET, MINOR Any street not designated as an arterial or collector street and intended to serve or provide access exclusively to the properties abutting thereon.

STRUCTURAL ALTERATION Any change in the structural members of a building such as load-bearing walls, columns, beams, girders, partitions, or any substantial change in the roof or in the exterior walls.

STRUCTURE Anything constructed, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground (not including sidewalks, driveway and similar improved areas).

STUDIO GYMNASTIC/DANCE A building or portion of a building used as a place of work for a gymnast or dancer or for instructional classes in gymnastics or dance.

STUDIO, TATTOO OR BODY PIERCING A building or portion of a building used for selling and/or applying tattoos (by injecting dyes/inks into the skin), and/or for piercing the skin with needles, jewelry or other paraphernalia, primarily for the purpose of ornamentation of the human body.

STUDIO FOR RADIO AND TELEVISION A building or portion of a building used as a place for radio or television broadcasting.

SWIMMING POOL, COMMERCIAL A swimming pool with accessory facilities which is not part of the municipal or public recreational system and which is not a private swim club, but where the facilities are available for use by the general public for a fee.

SWIMMING POOL, PUBLIC A swimming pool with accessory facilities, which is part of the municipal or public recreational system, and the facilities are available for use by the general public for a fee.

SWIMMING POOL, PRIVATE A swimming pool constructed for the exclusive use of the residents of a one-family, two-family or multiple-family dwelling and located, fenced and built in accordance with the City's Code of Ordinances. A private swimming pool shall not be operated as a business nor maintained in a manner to be hazardous or obnoxious to adjacent property owners.

TAVERN An establishment where non-intoxicating (not more than 3.2% alcohol) beverages are sold to be consumed on the premises.

TELEMARKETING CENTER An establishment, which solicits business or the purchase of goods and/or services by telephone only. No sales of goods or services to the public occur at or on the premises. No products are stored at or on the premises.

TEMPORARY Used or lasting for only a limited period of time; not permanent.

TEMPORARY BUILDING Any nonresidential prefabricated structure, which is not originally manufactured or constructed at its use site, required on-site installation of utilities and/or foundation.

THEATER, OUTDOOR An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or theatrical productions on a paid admission basis to patrons seated in automobiles.

THEATER INDOOR A building or part of a building devoted to the showing of motion pictures, or for dramatic, musical or live performances.

TINY HOMES ON WHEELS (THOW) means a dwelling that is constructed on a trailer and has been built to Recreational Vehicle (RV) standards. The dwelling is 400 sq. ft. or less in floor area excluding lofts and shall be considered an RV and registered as required by the State of Oklahoma. A manufactured home or mobile home shall not be considered a THOW. *(Added per Council action, 7/18/2023)*

TINY HOMES BUILT ON SITE means a dwelling that is 400 sq. ft. in floor area excluding lofts, shall be built on site on a permanent foundation in accordance to the Tiny House Building Codes set-forth in the latest edition of Appendix Q Tiny Houses of the International Residential Code and any future amendments made thereto. *(Added per Council action, 7/18/2023)*

TIRE DEALER A retail establishment engaged in the sale and/or installation of tires for vehicles.

TRACT A single individual parcel or lot.

TRACTOR SALES See Heavy Machinery Sales and Storage.

TRAFFIC SIGNALING DEVICE A sign, device of mechanical contrivance, used for the control of motor vehicular and pedestrian movement.

TRAILER PARK OR COURT- See Mobile Home Park.

TRAILER HOME - See Mobile Home.

TRAILER HOME SPACE See Mobile Home Space.

TRAILER, TRAVEL OR CAMPING A portable or mobile living unit which is used for temporary human occupancy away from the users' permanent place of residence, which does not constitute the users' principal place of residence, and which is designed to be towed behind another vehicle.

TRANSPORTATION AND UTILITY STRUCTURES/FACILITIES Permanent facilities and structures operated by companies engaged in providing transportation and utility services including but not limited to railroad track rights-of-way, sewage pumping stations, telephone exchanges, transit station turnarounds, water reservoirs and water pumping stations.

TRUCK STOPS A facility for the parking, refueling and/or minor repair of heavy load tractor-trailer trucks. These facilities may also include retail sales of food and/or other items, restaurant(s), restroom/showers facilities, and/or temporary sleeping quarters.

TRUCK TERMINAL - An area and building where cargo is stored and where trucks, including tractor and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary storage of loads prior to shipment. Such facility shall be designed to accommodate five (5) or more trucks.

USE The activity or activities conducted on a lot(s), building or structure.

USE, PRINCIPAL The primary use of any lot.

VACATION RENTAL HOME A property that is rented on a temporary/short-term basis, (less than thirty (30) consecutive days) to tenants for an established rate or fee. The property is fully-furnished and is designed for residential use, such as a villa, apartment, duplex, cottage, condominium, patio home, townhome or single-family home. *(Added per Ordinance No. 702, 05/05/2015)*

VARIANCE Any modification of the terms of this ordinance.

VETERINARIAN CLINIC An establishment where animals and pets are admitted for examination and medical treatment.

WAREHOUSE/DISTRIBUTION A structure, or part thereof, or area used principally for the storage of goods and merchandise. Truck Terminals are not Warehouse/Distribution structures.

WATERCRAFT: Boats, jet skis, sea doos, and other types of motorized and non-motorized vehicles designed for use on the water. *(Added per Ordinance No. 693, 01/20/2015)*

WATERCRAFT REPAIR: Repair, diagnostic and maintenance services; watercraft washing and polishing, collision repair services including fiberglass repair, customizing; painting. *(Added per Ordinance No. 693, 01/20/2015)*

WATERCRAFT SALES/RENTING: Retail sales or renting of new/used boat watercraft and watercraft trailers, may include the service of new/used watercraft as a minor part of the business. *(Added per Ordinance No. 693, 01/20/2015)*

WATERCRAFT SALVAGE: The dismantling of watercraft, including the collection and storage of parts for resale and/or storage of inoperative watercrafts for future salvage or sale. *(Added per Ordinance No. 693, 01/20/2015)*

WATERCRAFT STORAGE: The storage or impoundment of operable watercrafts for the purpose of holding such watercrafts for sale, distribution and/or storage. *(Added per Ordinance No. 693, 01/20/2015)*

WINERY WITH RETAIL SALE An establishment where wine is made and sold on site. The vineyard area, and the area used to manufacture, bottle, package and store wine on premises shall be less than sixty percent (60%) of the total are of the establishment. The establishment must be licensed by Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) as a Winemaker.

WINERY WITHOUT RETAIL SALE A vineyard area used to grow fruit for the purpose of manufacturing, bottling, packaging and storing wine on the premises to be sold to wholesalers. The establishment must be licensed Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) as a Winemaker.

YARD An open area on a lot situated between the principal building and the lot line that is unoccupied and unobstructed from the ground level to the sky, except as otherwise permitted in this Ordinance.

YARD, CORNER SIDE A side yard facing a public or private street extending from the front yard to the rear yard and from the corner side lot line to the face of the principal building.



YARD, FRONT A yard extending across the full width of the lot and situated between the front lot line and the face of the principal building.

YARD, REAR A yard extending across the full width of the lot and situated between the rear lot line and the face of the principle building.

YARD, SIDE A yard extending from the front yard to the rear yard and from the side lot line to the face of the principal building.

ZONING MAPThe official map(s) adopted by the City of Grove with all amendments; upon which the boundaries of the various zoning districts are drawn and which is an integral part of the Zoning Ordinance.

ZERO-LOT-LINE DWELLINGSee Dwelling- Single Family -Patio Home.

ZONING DISTRICT A classification applied to any certain land area within the City stipulating the limitations and requirements of land usage and development.(*Section 6 amended per Ordinance No. 569, 10/21/2008; Ordinance No. 659, 11/13/2012*).