ENGROSSED HOUSE
BILL NO. 1984

By: Kirby, Glover and Benson of the House

and

Helton of the Senate

An Act relating to counties and county officers; amending 19 O.S. 1991, Section 866.10, which relates to metropolitan area planning commissions; modifying and clarifying the powers and duties of metropolitan area planning commissions; providing for recommendations to the metropolitan comprehensive plan by the Area Planning Commission; and providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 1991, Section 866.10, is amended to read as follows:

Section 866.10 A. 1. The ~~commission~~ metropolitan area planning commission shall prepare, adopt, and from time to time revise, amend, extend or add to a plan or plans for the development of the metropolitan area~~, which~~. The plan or plans may be published and collectively shall be known as the metropolitan comprehensive plan.

2. The comprehensive plan shall be developed:

a. for the purpose of bringing about an orderly, ~~co-ordinated~~ coordinated, physical development in accordance with the present and future needs of such area, ~~and~~

b. to conserve the natural resources of the area,

c. to ~~insure~~ ensure efficient expenditure of public funds, and

d. to promote the health, safety, convenience, prosperity, and general welfare of the people of the area and the state.

3. The metropolitan comprehensive plan shall:

a. set forth the policy recommendations of the metropolitan area planning commission in regard to the physical development of the metropolitan area ~~and shall~~,

b. contain a statement of the objectives, standards and principles sought to be embodied therein~~. The plan shall~~,

c. contain recommendations for the most desirable pattern of land use within the metropolitan area, in the light of the best available information concerning:

(1) topography, climate, soil and underground conditions, water courses and bodies of water and other natural or environmental factors, ~~as well as in the light of the best available information concerning~~

(2) the present and prospective economic bases of the metropolitan area, past and future trends of industry, population or other developments~~,~~ and the habits and standards of life of the people of the metropolitan area, and

(3) the relation of land use within the metropolitan area to land use in adjoining areas~~. The plan shall~~,

d. insofar as appropriate, indicate areas for residential uses and maximum recommended densities therein; areas for manufacturing and industrial uses, with classification of such areas in accordance with their compatability with land use in adjoining areas; areas

for the concentration of wholesale and retail business and other commercial uses; areas for recreational uses and areas for open spaces; and areas for mixed uses~~. The metropolitan comprehensive plan shall also~~,

e. include the circulation pattern recommended for the metropolitan area, including routes and terminals of transit, transportation and communication facilities whether used for movement within the metropolitan area or for the movement from and to adjoining areas~~. The plan shall also~~,

f. include recommendations concerning the need for and the proposed general location of public and private works and facilities, such as utilities, flood control works, water reservoirs and pollution control facilities~~. The metropolitan comprehensive plan shall~~,

g. include such other recommendations of the metropolitan area planning commission concerning current and impending problems as may affect the metropolitan areas as a whole~~. The metropolitan development plan shall~~, and

h. be based on studies of physical, social, economic and governmental conditions and trends.

B. 1. Before the adoption, amendment, or extension of the plan or portions thereof, the commission shall hold at least one public hearing thereon.

2. Such hearing may be adjourned from time to time.

C. The commission may ~~adopt~~ recommend for adoption or denial by the municipal council and/or, as appropriate, the board of county commissioners the comprehensive plan in whole or part, and subsequently ~~amend or extend~~ may recommend the adoption or denial of any amendment or extension of the plan or portions thereof. ~~Before~~

~~the adoption, amendment, or extension of the plan or portions thereof, the commission shall hold at least one (1) public hearing thereon. Such hearing may be adjourned from time to time. The adoption of the plan or portions thereof shall be by resolution carried by not less than six (6) members of the commission including the ex officio members thereof.~~

D. 1. Before ~~such~~ the metropolitan comprehensive plan or part thereof ~~shall have~~ has the status of an official plan, ~~it~~ the plan shall be submitted to and shall have the approval of the municipal council insofar as such plan affects the area within the city limits of the municipality~~, and~~. In addition, the plan shall have the approval of the board of county commissioners, insofar as such plan affects the balance of the county excluding, however, any area within any incorporated municipality located within the balance of the county.

2. The council and~~/or~~ the board may approve the plan in whole or in part, or return the plan or any portion thereof to the commission for further consideration.

3. Any part so approved shall immediately become in full force and effect ~~and~~ as to the area covered by the approved portion of such plan.

4. Should the council or board fail to act upon such plan within forty-five (45) days from the date of its submission by the commission, such plan shall be deemed to be approved by said council or board and shall have the status of an official plan for the area.

E. After the adoption of the comprehensive plan, or part thereof, an attested copy shall be certified by the commission and by the approving authority and shall be certified to the county clerk of such county ~~for safekeeping and~~ as a public record~~,~~ and certified to the clerks of such incorporated areas as may be covered or affected by the plan.

SECTION 2. This act shall become effective November 1, 2000.

Passed the House of Representatives the 15th day of February, 2000.

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Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 2000.

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President of the Senate