

1 **SENATE FLOOR VERSION**

2 February 19, 2025

3 SENATE BILL NO. 674

By: Pugh

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5  
6 An Act relating to municipal zoning; amending 11 O.S.  
7 2021, Section 43-106, which relates to additional  
8 notice requirements for proposed zoning changes and  
9 reclassifications; providing certain exception;  
10 allowing charter schools to submit certain charter  
11 school site plan; requiring certain municipal body to  
12 take certain action; providing certain exemption;  
13 updating statutory language; providing for  
14 codification; and providing an effective date.

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

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

18 Section 43-106. A. Except as provided in Section 2 of this act  
19 and as authorized in subsection B of this section, in addition to  
20 the notice requirements provided for in Section 43-104 of this  
21 title, notice of a public hearing on any proposed zoning change,  
22 except by a municipality acting pursuant to subsection B of this  
23 section and as provided in Section 2 of this act, shall be given  
24 twenty (20) days prior to the hearing by mailing written notice by  
the secretary of the planning commission, or by the municipal clerk  
if there is no planning commission, to all the owners of real

1 property as provided for in Section 43-105 of this title. In  
2 addition to the notice required in this subsection, if the zoning  
3 change requested permits the use of treatment facilities, multiple  
4 family facilities, transitional living facilities, halfway houses,  
5 and any housing or facility that may be used for medical or  
6 nonmedical detoxification as these terms are defined pursuant to  
7 Section 3-403 of Title 43A of the Oklahoma Statutes, the entity  
8 proposing the zoning change shall mail a written notice within  
9 thirty (30) days of the hearing to all real property owners within  
10 one-quarter (1/4) of a mile where the area to be affected is located  
11 and shall be responsible for all costs incurred in mailing this  
12 notice. The notice shall contain the:

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

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

21 For purposes of this subsection, "entity" means any individual,  
22 corporation, company, firm, partnership, association, trust, state  
23 agency, government instrumentality or agency, institution, county,  
24 incorporated municipality or municipal authority or trust in which

1 any governmental entity is a beneficiary, venture, or other legal  
2 entity however organized.

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

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

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

24

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

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

21       C. Any business or entity with a location restricted by a  
22 distance requirement to a school shall not be deemed in violation of  
23 the distance restriction should a charter school be approved  
24 pursuant to this act that otherwise places the business or entity in

1 noncompliance. If the business or entity ceases to operate or moves  
2 locations, any law on distance restriction to the charter school  
3 shall apply.

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

5 COMMITTEE REPORT BY: COMMITTEE ON LOCAL AND COUNTY GOVERNMENT  
6 February 19, 2025 - DO PASS  
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