

The City of Oklahoma City
Zoning and Planning Code 2010

HANDOUT

Ordinances related to the
HISTORIC PRESERVATION DISTRICT (HP) and
HISTORIC LANDMARK OVERLAY DISTRICT (HL)

Sections of the Zoning Code contained herein:

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Supplemental information referenced in the Zoning Code but not contained herein:

Historic Preservation Design Guidelines
Copies may be requested from the City of Oklahoma City Planning Department
420 West Main, Suite 900 / Oklahoma City, OK 73102 / (405) 297-1624
or on line at <http://www.okc.gov/planning/hp/index.html>

ARTICLE III. ADMINISTRATIVE BODIES AND OFFICIALS

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§ 59-3300 HISTORIC PRESERVATION COMMISSION

3300.1. Establishment. The City of Oklahoma City has previously established the Historic Preservation Commission.

3300.2. Powers. Unless otherwise specified in this chapter, the Historic Preservation Commission shall have the following powers:

- A. To prepare, or cause to be prepared, a comprehensive inventory of historical, architectural and archeological resources within the City.
- B. To prepare, or cause to be prepared, a general historic preservation plan to be incorporated within the Comprehensive Plan.
- C. To prepare findings of fact relating to the recommendation for designation of historical, architectural and archeological resources.
- D. To prepare findings of fact pursuant to action taken by the Historic Preservation Commission relating to Certificates of Appropriateness.
- E. To recommend to the City Council the acquisition of development rights, façade, conservation, or preservation easements and the development of historic preservation plans.
- F. To recommend to the City Council grants from Federal and State agencies, private groups and individuals, and the utilization of budgetary appropriations to promote the preservation of historical, architectural or archeological resources. When so directed by the City Council, the Historic Preservation Commission may oversee historical projects or programs.
- G. To recommend to the City Council the need for employing staff and making contracts with technical experts for the furtherance of the Historic Preservation Commission's work.
- H. To promulgate rules governing the meetings of the Historic Preservation Commission and the standards for materials presented to the Historic Preservation Commission.
- I. To increase public awareness of the value of historical, architectural or archeological resources by developing and participating in public information programs, by recommending the update of the preservation program, by the giving of advice to owners or residents of such resources as to the problems and techniques of preservation work, and, further, by placing monuments and markers at historic sites, as chosen by the Historic Preservation Commission.
- J. To keep minutes and records of all meetings and proceedings, including voting records, attendance, resolutions, findings of facts, determinations and decisions.
- K. To recommend to the City Council and/or Planning Commission historic designations, and amendments to this chapter and the City Code.
- L. To comment upon and provide recommendations to the City Council, Planning Commission, other City Boards, Committees and Commissions on actions of other

governmental units with respect to the effect of such actions upon historic, architectural and archeological resources.

- M. To investigate complaints, conduct hearings and recommend the commencement of actions to enforce the provisions of this section.
- N. To conduct a periodic review of the status of designated landmarks and historic districts, and provide periodic reports on the findings of said review, along with any resolutions for action as considered appropriate, to the City Council.
- O. To undertake any other functions imposed by this chapter, or which may be specified by the City Council.

3300.3. Membership, Terms and Organization.

- A. *Membership.* The Historic Preservation Commission shall consist of nine members, who shall reside in the City, and whom the Mayor, with the consent and approval of the City Council, shall appoint. Six members shall live within or own commercial property within a Historic Landmark or Historic Preservation District designated by the City, and three members may live in or outside the designated districts. No more than two members shall be from the same Historic Landmark or Historic Preservation District.

The Historic Preservation Commission shall include members with the following qualifications:

- (1) Two members shall be registered architects.
- (2) One member shall be a licensed real estate professional.
- (3) One member shall be a historian or urban planner.
- (4) One member shall be an attorney.

All members shall have demonstrated experience in historic preservation, an interest in the historic traditions of the City, and have knowledge or demonstrated experience in the fields of history, architecture, architectural history, urban history, City planning, urban design, historic real estate development, or historic preservation.

- B. *Officers.* The Historic Preservation Commission shall elect a Chairperson who shall serve for one year or until his/her successor takes office, and shall be eligible for re-election.
- C. *Compensation.* All members of the Historic Preservation Commission shall serve without compensation.
- D. *Term of Office.* The term of each member of the Historic Preservation Commission shall be three years or until his/her successor takes office. No member shall serve more than three consecutive terms. Members who have served three consecutive terms may be reappointed after having rotated off the Commission for at least one full three-year term.
- E. *Removal of Members.* Members of the Historic Preservation Commission may be removed by the Mayor for cause upon the filing of written charges and after a public hearing before the City Council for insufficiency, neglect of duty or malfeasance.
- F. *Vacancies.* Members may be appointed to fill the remainder of vacant terms by the Mayor, with the consent and approval of the City Council.

3300.4. Meetings and Procedures.

- A. *Meetings.* All meetings of the Historic Preservation Commission shall be held at the call of the Chairperson, or at the request of the majority of the members of the Historic Preservation Commission.
- B. *Presiding Officer.* The Chairperson or, in his absence, the Acting Chairperson, shall preside over the meeting, administer oaths and may request the attendance of witnesses.
- C. *Attendance.* Members of the Historic Preservation Commission are required to attend at least two-thirds of the regularly scheduled Historic Preservation Commission meetings over a one calendar year period. Failure to achieve this level of attendance shall result in the termination of the member's tenure with the Historic Preservation Commission and the Mayor may make an appointment to fill the vacancy. The Historic Preservation Commission Chairperson shall notify the Mayor when a deficiency in attendance has occurred.
- D. *Quorum.* Five members of the Historic Preservation Commission shall constitute a quorum for the transaction of business unless there is a vacancy in the membership, in which case it shall be a majority of the active members and action taken at any meeting shall require the affirmative vote of a majority of the voting members of the Historic Preservation Commission.
- E. *Open to Public.* All meetings of the Historic Preservation Commission shall be subject to the Oklahoma Open Meetings Act (25 O.S. § 301 et seq.). Any person, or his duly appointed representative, shall be entitled to appear and be heard on any matter before the Historic Preservation Commission.
- F. *Rules.* The Historic Preservation Commission shall adopt its own rules for the conduct of its business not in conflict with Oklahoma Statutes or the City Code
- G. *Vote.* Action taken at any meeting shall require the concurring vote of a majority of the members of the Historic Preservation Commission who are present at the meeting. .
- H. *Records.* The Historic Preservation Commission shall keep a record of its proceedings, a copy of which shall be filed for public view in the office of the Planning Director.
- I. *Planning Director's Role.* The Planning Director, or his/her designee, shall act as Historic Preservation Officer and shall attend and keep the minutes of all meetings. He or she shall act in an advisory capacity only and may participate in the Commission's discussions but shall have no vote. The Director and the staff of the Planning Department shall assist the Historic Preservation Commission in discharging its duties.
- J. *Hearings.*
 - (1) All hearings before the Commission to consider and/or act upon an application for a Certificate of Appropriateness or other business shall be video-recorded in their entirety. Such video-recording shall be maintained by the Historic Preservation Officer for a period of not less than 60 days following the final decision of the Commission on the application.
 - (2) All persons wishing to appear as a witness before the Commission to give testimony in support of, or in opposition to, an application for a Certificate of Appropriateness shall first identify themselves by name and address on the record.

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- (3) The Chairperson of the Commission shall admit into evidence all exhibits offered by witnesses in support of, or in opposition to, an application for a Certificate of Appropriateness, which the Chairpersons determine to be authentic and reasonably material and relevant to the application. A copy of all exhibits submitted to the Commission whether or not admitted into evidence shall be numbered and marked sequentially by the Historic Preservation Officer and shall be retained as a part of the Commission's record in the case.

3300.5. Mediation Hearing.

- A. *Filing of Complaints.* Citizens may file formal written complaints with the Historic Preservation Officer concerning alleged violations of this chapter.
- B. *Scheduling of Hearing.* Upon receipt by the Historic Preservation Commission of such a written complaint charging any property owner, resident or occupant of a Historic Landmark or Historic Preservation District with violation of any provision of this chapter, the Historic Preservation Commission may schedule a mediation hearing to consider such complaint.
- C. *Notification.* The Historic Preservation Officer shall promptly notify the complainant and the person, or persons, alleged to have committed the violation by registered or certified mail, return receipt requested, of the time and place of the hearing and the nature of the complaint, and invite the parties to appear and to be heard.
- D. *Attendance.* Attendance at such hearing shall be voluntary.
- E. *Purpose.* Such hearing shall be held for the purpose of mediating the dispute that is the subject of the filed complaint and for the further purpose of fostering compliance with this chapter.
- F. *Timing.* Nothing in this section shall be construed so as to require any person, including officers and employees of this City, to delay the filing of any complaint, information or other charging instrument, or to delay the prosecution of any action in law or equity, until the Historic Preservation Commission shall have considered a matter at a mediation hearing.

(Ord. No. 24009, § 2, 2-2-10; Ord. No. 24290, § 1, 6-21-11; [Ord. No. 24902, § 1, 6-10-14](#))

ARTICLE IV. ADMINISTRATIVE PROCEDURES

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§ 59-4150 PUBLIC HEARINGS AND NOTICES

4150.1. Setting a Public Hearing.

When the Planning Department staff determines that the application is complete and a public hearing is required by this chapter, the date, time and location for such hearing shall be determined, and scheduled pursuant to the procedures and standards of this chapter.

4150.2. Published Notice of Public Hearings.

The City shall arrange for the publication of a public notice in a newspaper of general circulation in The City of Oklahoma City for all applications requiring public hearings, including adoption or amendment of the Comprehensive Plan, changes in general zoning and/or subdivision regulations, zoning district boundary changes, planned unit developments, special permits, special exceptions, variances, and plat and subdivision approval. The notice shall include the date, time and location of such hearing, a description of the proposal or variance request to be heard or considered, and the address or particular location of the subject property. The notice shall be published at least 15 days prior to the public hearing.

4150.3. Written Notice of Public Hearings.

In addition to the required published notice, the City shall be required to mail written notice for all applications for zoning district boundary changes, planned unit developments, special permits, special exceptions, variances, and plat and subdivision approval in accordance with the following provisions:

- A. *Content and timing of written notice.* Whenever notice by mail is required by this section, such notice shall include the date, time and location of the public hearing, a description of the proposal or variance request to be heard or considered, and the address or particular location of the subject property. The notice shall be given at least 20 days prior to the public hearing
- B. *Recipients of written notice.*
 - (1) All applications for zoning district boundary changes, planned unit developments, special permits, special exceptions, variances, and plat and subdivision approval shall require mailing written notice to all owners of property within a 300-foot radius, (100-foot radius for plats and subdivision approval), of the exterior boundary of the subject property, said radius to be extended by increments of 100 linear feet until the list of property owners includes not less than ten individual property owners of separate parcels.
 - (2) In the event that a zoning district boundary change, planned unit development and special permit originates with the City on the motion of the City Council or on the recommendation of the Planning Commission, written notice by mail in the manner specified above shall be given to the owner of the subject property for which the

boundary change is proposed as such ownership is recorded in the Office of County Clerk.

- C. *Compilation of Neighborhood Property Owners List.* When notice by mail to neighboring property owners is required by this section, the listing of such neighboring property owners shall be submitted by the applicant and shall be compiled from the current year's records of the County Clerk or the current year's tax records of the county or counties in which subject property is located. Further, such required listing of neighboring property owners shall be certified as true and correct by the applicant. Such listing of neighboring property owners shall include complete mailing addresses, including zip code, and shall include legal descriptions.

4150.4. Notice of Applications for Certificates of Appropriateness to Certain Adjacent Property Owners.

- A. *Written Notice Requirement.* The Historic Preservation Officer shall notify adjacent property owners of the substance of the application and the time, date and place of a hearing before the Historic Preservation Commission. Notification, as required herein, shall be given by regular mail at least six business days prior to the hearing, postage-paid, of a fully executed copy of the application filed by the applicant to the following persons:
- (1) The owners of the lots situated across the street from the property, which the application pertains.
 - (2) The owners of the lots situated on both sides of the lots described in Paragraph (1) above.
 - (3) The owners of the lots situated on both sides of the property, which the application pertains.
 - (4) The owners of the lots situated directly behind the property which the application pertains.
 - (5) The owners of the lots situated on both sides of the lots described in Paragraph (4) above.
- B. *Compilation of Adjacent Property Owners List.* The notification to adjacent property owners as required by Paragraph A above shall be provided by the Historic Preservation Officer.

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§ 59-4250 DISCRETIONARY REVIEW PROCEDURES

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4250.4. Historic Preservation Review.

- A. *Establishment and Purpose.* The City of Oklahoma City has previously established the process for granting Certificates of Appropriateness. It is not the intent of this section to limit new construction to any one period or architectural style, but to preserve the

integrity of historic and architectural resources, and to insure the compatibility of new work constructed in the vicinity.

B. *Authority and Execution.* The Historic Preservation Commission shall review and take action on applications for Certificates of Appropriateness. For the purpose of administering this section and assisting the Historic Preservation Commission and property owners in evaluating and completing preservation projects which are historically and architecturally appropriate, that document known as "Preservation Guidelines and Standards for Oklahoma City Historic Districts," and any amendments thereto, is hereby adopted by reference as if set out at length herein. Copies of same are on file in the office of the City Clerk and are also available in the Planning Department. In the event there are any provisions in the guidelines which are in conflict with any provisions of the City Code, the City Code shall prevail.

C. *Procedure.*

(1) *Certificate of Appropriateness Required.* No building, sign, or fence permit shall be issued by the Public Works Director for any structure or site located within an HL or HP District until a Certificate of Appropriateness has been approved by the Historic Preservation Commission.

(2) *Applications.* Applications for Certificates of Appropriateness shall be filed in accordance with the requirements of this section on forms provided by the City.

(3) *Acceptance of Application by the Historic Preservation Officer.* When applying for a Certificate of Appropriateness, the applicant shall furnish one copy of all photographs, plans, exterior elevations, building sections, details, perspectives, specifications, and other pertinent reports and exhibits to the Planning Department staff, as deemed necessary by the Historic Preservation Officer to enable complete review. Within 10 days after submission of an application, the Historic Preservation Officer shall notify the applicant in writing of any additional documentation required; otherwise, said application is deemed complete. Only applications that are deemed to be complete shall be submitted to the Historic Preservation Commission for review. Incomplete applications may be administratively closed if requested additional documentation has not been received within 90 days of a written request.

(4) *Action by the Historic Preservation Commission.*

(a) Upon determination by the Historic Preservation Officer that an application is complete and filed, the Historic Preservation Commission shall have 65 days from the date said application is first heard to review and rule on the proposal. The Historic Preservation Commission or applicant may request a continuance of the case one time during this 65-day period; provided, however, one additional continuance not to exceed 60 days may be granted upon a super majority (two-thirds) vote of the Commissioners present.

(b) Upon review of the application, the Historic Preservation Commission shall determine whether the proposed work is of a nature that will adversely affect any historical or architectural resource, and whether such work is appropriate and consistent with the spirit and intent of this section and the designating ordinance. The Historic Preservation Commission shall apply the criteria

established by this section and based thereon shall approve, vote a continuance (one time), deny with prejudice or deny the Certificate of Appropriateness without prejudice. If the Historic Preservation Commission denies such a Certificate of Appropriateness, no building permit shall be issued and the applicant shall not proceed with the proposed work. If the application is denied without prejudice, the applicant may reapply at any time. If the application is denied with prejudice, the applicant may not resubmit for at least one year; provided, however, that the Historic Preservation Commission may waive the denial with prejudice at any time if the Historic Preservation Commission determines that the circumstances affecting the application have changed.

- (c) Decision of the Commission approving or denying a Certificate of Appropriateness shall be in the form of a written Order, which Order shall include specific findings of fact and conclusions of law for the decision based on the provisions of this Ordinance. In the case of the denial of a Certificate of Appropriateness by the Historic Preservation Commission, the Commission shall state in writing the reasons for such denial and may include suggestions of the Commission in regard to actions the applicant might take to secure the approval of the Commission as to the issuance of a Certificate of Appropriateness.

D. *Standards for Certificates of Appropriateness.* In considering applications for Certificates of Appropriateness, the Historic Preservation Commission shall be guided by the following criteria:

- (1) The "Preservation Guidelines and Standards for Oklahoma City Historic Districts." (Copies of same are on file in the office of the City Clerk and are also available in the Planning Department.)
- (2) The Establishment and Purpose of this section (see 4250.4, A).
- (3) The degree to which the proposed work may destroy or alter all, or part, of a resource.
- (4) The degree to which the proposed work would serve to isolate the resource from its historical or architectural surroundings, or would introduce visual, audible, vibratory or polluting elements that are out of character with the resource and its setting, or that adversely affect the physical integrity of the resource.
- (5) The compatibility of the building materials with the aesthetic and structural appearance of the resource including, but not limited to, the consideration of texture, style, color or the components, and the combination of elements, such as brick, stone, concrete, shingle, wood or stucco.
- (6) The compatibility of the proposed design to the significant characteristics of the resource including, but not limited to, a consideration of a harmony of materials, details, height, mass, proportion, rhythm, scale, setback, shape, street accessories and workmanship.
- (7) The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

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- E. *Archeological Resources.* With regard to the development of a property containing a designated archeological resource, a Certificate of Appropriateness shall be required prior to the issuance of the permit for which the applicant has applied. Further, the following requirements shall be satisfied, to wit:
- (1) Archeological resources shall be protected from inappropriate or improper digging by demonstration by the applicant that the appropriate permits and standards are met for study, as set by the State Historical Society.
 - (2) Any discovered materials shall be properly recorded, reported, stored or exhibited according to the standards set by the State Historical Society.
 - (3) All development affecting the designated archeological resource shall provide for the permanent preservation of the resource or provide for the completion of the necessary work as recommended by a qualified archeologist.
 - (4) Prior to the hearing by the Historic Preservation Commission for issuance of the Certificate of Appropriateness, the applicant or the Historic Preservation Commission shall cause to have presented the comments and recommendations of a qualified archeologist with respect to the resource under consideration and the application which would affect it.
- F. *Conditions on Certificates of Appropriateness.* The Historic Preservation Commission may approve Certificates of Appropriateness subject to certain reasonable conditions. Work performed pursuant to the issuance of a Certificate of Appropriateness shall conform to the requirements of such certificate, if any. It shall be the duty of the Planning Director to inspect any work performed pursuant to a Certificate of Appropriateness to assure such compliance. In the event that such work is not in compliance, the Planning Director shall issue a stop-work order. The Historic Preservation Commission may request by resolution that the Planning Director inspect the work and issue a stop-work order. The Planning Director shall inspect the work for completion at the end of the time limit set forth by the Historic Preservation Commission. The Historic Preservation Commission may cause a Certificate of Appropriateness to be revoked upon determination by the Commission that work is not being undertaken in accordance with the requirements of such certificate. The applicant shall then be required to resubmit for a new Certificate of Appropriateness to authorize the work undertaken or proposed to be undertaken. Prior to revocation by the Historic Preservation Commission, the Planning Director shall notify the applicant in writing by certified mail of the specific causes for which the Certificate of Appropriateness is to be revoked, and the opportunity to request a hearing before the Commission with 30 days from the date of the notice. If no request for hearing is filed within said 30 days, the Certificate of Appropriateness shall be revoked automatically.
- G. *Completion of Work.*
- (1) A Certificate of Appropriateness shall expire one year from the date of issuance. The work sanctioned by the granting of a Certificate of Appropriateness shall be completed before the expiration date indicated on the Certificate of Appropriateness.
 - (2) Extensions:

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- (a) An extension to a Certificate of Appropriateness may be considered provided an application and fee are submitted in advance of the expiration date indicated on the Certificate of Appropriateness.
 - (b) The Historic Preservation Officer may grant a one-time extension for up to six months if continuous progress toward completion of the work approved in a Certificate of Appropriateness is demonstrated by evidence of physical change.
 - (c) The Historic Preservation Commission may grant an additional extension for one year if continuous progress toward completion of the work approved in a Certificate of Appropriateness is demonstrated by evidence of physical change.
 - (d) Only two extensions may be granted before a new review process is required, including application, attachments, and fee.
- (3) Minor revisions to Certificates of Appropriateness. The Historic Preservation Officer may approve minor revisions to an unexpired Certificate of Appropriateness without additional fee provided:
- (a) No more than five percent of the site or building shall be modified from the original Certificate of Appropriateness;
 - (b) Modifications shall not significantly alter the work previously approved;
 - (c) Modifications shall be in conformance with regulations and meet the requirements and recommendations of the standards and guidelines; and
 - (d) Modifications shall be consistent with all conditions associated with the original Certificate of Appropriateness.
- H. *Certificate of Appropriateness for Work Already Completed.* Work that has already been initiated or completed without authorization through a Certificate of Appropriateness issued by the Historic Preservation Officer or Historic Preservation Commission shall be reviewed as if the work had not yet been undertaken. The property owner shall be required to apply for a Certificate of Appropriateness for the work already completed and proposed. The Historic Preservation Commission shall review the work proposed in the application for its appropriateness in the context of the property or resource as it appeared prior to any work being undertaken.
- I. *Unique Circumstances.* It is acknowledged that some applications to the Historic Preservation Commission will require approval of work that does not strictly comply with the standards set forth in the Preservation Standards and Guidelines, or which is not addressed by the Guidelines, but which is nevertheless historically appropriate and in compliance with the intent of the Guidelines and the Secretary of the Interior's Standards. In such circumstances, the Historic Preservation Commission may approve a Certificate of Appropriateness for such work upon issuing a detailed finding that the proposed work is historically appropriate and is consistent with the spirit and intent of the Preservation Standards and Guidelines and that the proposed work will not adversely affect the historic character of the property or the integrity of the historic district.

J. *Administrative Approvals for Certificates of Appropriateness for Certain Items of Work.* Certificates of Appropriateness for certain items of work may be administratively approved by staff. All administrative approvals are to be duly recorded by the Historic Preservation Officer and a list of administrative approvals is to be provided to the full Historic Preservation Commission at the next available Commission meeting.

(1) The following items may be administratively approved:

- (a) Sidewalks, driveways, parking lots, curbs and vacant sites meeting the criteria in Section 2.3.5-2.3.21 of the Preservation Standards and Guidelines.
- (b) Service and mechanical areas meeting the criteria in Section 2.4.3-2.4.7 of the Preservation Standards and Guidelines.
- (c) Landscape elements meeting the criteria in Section 2.5.11-2.5.40 of the Preservation Standards and Guidelines.
- (d) Views and vistas meeting the criteria in Section 2.6.4-2.6.6 of the Preservation Standards and Guidelines.
- (e) Fences and walls meeting the criteria in Section 2.8.4-2.8.22 of the Preservation Standards and Guidelines.
- (f) Public property and right-of-way improvements meeting the criteria in Section 2.9.1-2.9.10 of the Preservation Standards and Guidelines.
- (g) Maintenance and rehabilitation to exterior materials meeting the criteria in Section 3.1.10-3.1.25 of the Preservation Standards and Guidelines.
- (h) Porch elements meeting the criteria in Section 3.3.20, 3.3.25, and 3.3.30-3.3.31 of the Preservation Standards and Guidelines.
- (i) Doors and Entries meeting the criteria in Section 3.5.4-3.5.29 of the Preservation Standards and Guidelines.
- (j) Windows, shutters, and awnings meeting the criteria in Section 3.6.4, 3.6.23-3.6.26, 3.6.30, 3.6.33-3.6.34, and 3.6.39-3.6.47 of the Preservation Standards and Guidelines.
- (k) Roofs meeting the criteria in Section 3.7.11—3.7.26 of the Preservation Standards and Guidelines.
- (l) Foundations meeting the criteria in Section 3.8.5—3.8.8 of the Preservation Standards and Guidelines.
- (m) Accessory buildings meeting the criteria in Section 3.9.6-3.9.17, and 4.5.5-4.5.14 of the Preservation Standards and Guidelines.
- (n) Signs meeting the criteria in Section 3.10 of the Preservation Standards and Guidelines.
- (o) Lighting and fixtures meeting the criteria in Section 3.11.8-3.11.10 of the Preservation Guidelines.
- (p) Energy Efficiency features meeting the criteria in Section 4.7.4—4.7.7 of the Preservation Guidelines.

- (q) A onetime extension, not to exceed six months, to an unexpired Certificate of Appropriateness.
- (r) A minor revision to an unexpired Certificate of Appropriateness that does not modify more than five percent of the approved work items.
- (2) In some situations, staff may determine that it is more appropriate that an application for administrative approval be reviewed by the Historic Preservation Commission. In such instances, staff shall advise the applicant accordingly.

K. *Appeals.*

- (1) Any person aggrieved by a decision of the Historic Preservation Commission shall have such right of appeal, as may be otherwise provided by law.
- (2) *Appeal to the Board of Adjustment.*
 - (a) *Right of Appeal; Effect of Certificate of Appropriateness Prior to Expiration of Appeal Period.*
 - 1. Any person aggrieved by any decision of staff or the Historic Preservation Commission in granting or denying a Certificate of Appropriateness may appeal said decision to the Board of Adjustment. No Certificate of Appropriateness granted by the Historic Preservation Commission shall become effective until the expiration of the appeal period provided for in this chapter.
 - (b) *Method of Appeal.* All appeals to the Board shall be taken within ten days from the date of the decision by filing a Notice of Appeal with the Clerk of the Board of Adjustment and by paying the required filing fee at the time the Notice is filed. The Notice of Appeal shall specify the grounds for the appeal. Upon receipt of Notice of Appeal, the Clerk shall forthwith transmit to the Board all papers and other materials constituting the record in the case, together with the written Order of the Commission. The appeal shall be heard by the Board of Adjustment as soon as said matter can be placed upon the agenda by the clerk of the Board of Adjustment in the regular course of business.
 - (c) *Effect of Appeal.* An appeal to the Board of Adjustment from a decision by the Historic Preservation Commission shall stay all proceedings in furtherance of the decision being appealed.
 - (d) *Decision on Appeal by Board of Adjustment.* The appeal shall be heard and tried do novo by the Board, provided such appeal shall be limited to the issues and evidence presented to and decided by the Commission, and the grounds specified in the Notice of Appeal. In deciding an appeal, the Board shall use the same standards and criteria of review as set forth in the Historic Preservation Ordinance. Upon review, the Board may affirm, reverse or modify the decision of the Historic Preservation Commission; or the Board shall remand the case to the Commission based upon new evidence in the event that new evidence is presented. Any person aggrieved by the ruling of

the Board on said appeal shall have such further rights of appeal as provided by law.

- (e) *Right of Appeal to Board of Adjustment Not Exclusive Method of Appeal.* The right of appeal to the Board of Adjustment, as provided for herein, shall not be the exclusive method of appeal from decisions of the Historic Preservation Commission. Any person aggrieved by any decision of the Historic Preservation Commission shall have such other rights of appeal, as may be provided by law.

L. *Demolitions.*

(1) *General Provisions.*

- (a) A Certificate of Appropriateness shall be required for the demolition or removal of any structure within any HL or HP District. Applications for demolition permits shall be filed with the Development Services Director, but shall not be issued unless accompanied by Certificate of Appropriateness.
- (b) A Certificate of Appropriateness shall not be required for the demolitions or removal by the City of a structure that has been declared dilapidated by the City Council. Prior to consideration by the City Council, the Historic Preservation Commission shall forward to the City Council a recommendation regarding whether the structure is contributing to the historic integrity of the historic district and whether demolition will adversely affect the historic character of the property or district.
- (c) A Certificate of Appropriateness shall be required for those structures declared dilapidated by the City Council whose removal is not undertaken by the City.

(2) *Findings and Purpose.* Demolition or removal of a historic structure constitutes an irreplaceable loss to the quality and character of the City. Therefore, a Certificate of Appropriateness for demolition of any structure, including houses, garages, or other accessory buildings, shall only be granted if one of the following occurs:

- (a) As determined by the Commission, the structure is noncontributing to the historic integrity of the historic district and the demolition will not adversely affect the historic character of the property or district.
- (b) As evaluated by the Commission based upon information including, but not limited to, reports, photographs, or inspection as part of a site visit, the structure is in a state of decay or ruin and poses an imminent threat to public health or safety and the demolition of said structure is required to alleviate said threat.
- (c) There is no viable economic use of the structure. For purposes of this Paragraph, the term "no viable economic use" shall mean:
 - 1. The structure is incapable of earning a reasonable economic return.
 - 2. The structure cannot reasonably be adapted for any other use which would result in a reasonable economic return.

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3. The owner, using due diligence, has been unable to find a developer, financier, purchaser or tenant that would enable the owner to realize a reasonable economic return.
- (d) The structure is a garage or other accessory building and meets at least one of the following criteria addressing the functionality and continued use of the historic structure in relation to the impact of a demolition on the historic character of the property and district:
1. The structure is not large enough to accommodate a standard size parking space and cannot reasonably be altered to do so;
 2. The condition of the structure makes it physically impractical to rehabilitate without the loss of all or nearly all fabric contributing to its historic integrity;
 3. The structure is not original to the property;
 4. The structure has minimal impact upon the historic integrity of the property and district, due to factors including the structure's lack of historic integrity and significance, architectural significance, or minimal to no visibility from a public way.
- (3) *Economic Review Board.* For demolitions based upon "no viable economic use" of the property, the application shall be referred immediately to the Economic Review Board, which shall consist of three independent experts appointed by the City Manager. Economic Review Board members shall be knowledgeable in the economics of real estate, renovation and redevelopment. "Independent" as used in this Paragraph means that the expert has no financial interest in the property, its renovation or redevelopment, is not an employee of the property owner, is not a City employee, is not a member of the Historic Preservation Commission, and is not compensated for serving on the Economic Review Board. The Economic Review Board shall have 60 days to hold a public hearing, review the submitted documentation which may include appraisals, profit and loss statements, itemized expenses, listings of the property for sale, current fair market value, records depicting the current conditions of the property and other relevant documentation, consider all options for renovation, adaptive reuse and redevelopment, and forward a written non-binding recommendation to the Historic Preservation Commission.
- (4) *Action by the Historic Preservation Commission.* After the Economic Review Board had made a written recommendation, the application shall be deemed complete and the Historic Preservation Commission shall hold a public hearing within 65 days of receiving said recommendation for the purpose of considering the Certificate of Appropriateness for demolition or removal. The Historic Preservation Commission shall either approve or deny the application unless the applicant agrees upon a continuance.
- (5) *Burden of Proof.* The applicant has the burden of proof to establish, by a preponderance of evidence, the necessary facts to warrant demolition.
- (6) *Standards for Demolition Approval.* The Historic Preservation Commission shall approve the application for demolition if it finds any of the following:

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- (a) The structure is noncontributing to the historic district and the demolition will not adversely affect the historic character of the property or district.
 - (b) The structure, which has not otherwise been declared a public nuisance by the City Council, poses an imminent threat to public health or safety and the demolition of said structure is required to alleviate said threat.
 - (c) There is "no viable economic use" of the structure as said term is defined in this section.
 - (d) The structure is a garage or other accessory building and meets at least one of the following criteria addressing the functionality and continued use of the historic structure in relation to the impact of a demolition on the historic character of the property and district:
 - 1. The structure is not large enough to accommodate a standard size parking space and cannot reasonably be altered to do so;
 - 2. The condition of the structure makes it physically impractical to rehabilitate without the loss of all or nearly all fabric contributing to its historic integrity;
 - 3. The structure is not original to the property;
 - 4. The structure has minimal impact upon the historic integrity of the property and district, due to factors including the structure's lack of historic integrity and significance, architectural significance, or minimal to no visibility from a public way.

4250.10 Appeals

* * *

- C. *Authority and Execution.* Appeals to the Board of Adjustment may be taken by any person aggrieved, or by any officer, department, board or bureau of the City affected by any decision of any City Official, Design Review Committee or Commission, related to the issuance of a building permit, the granting or denial of a Certificate of Approval or Certificate of Appropriateness, or enforcement of this chapter. Such appeal shall be taken within 30 days from the date of the decision, or ten business days if within the Bricktown Core Development District (BC), Downtown Design Districts (DBD, DTD-1, and DTD-2), Historic Preservation District (HP), Historic Landmark Overlay District (HL), Scenic River Overlay Design District (SRODD), Stockyards City Development District (SYD), Stockyards City Transitional Development Overlay District (SYT), and Urban Design (UD) Overlay District by filing with the Clerk of the Board of Adjustment a notice of appeal specifying the grounds thereof, and by paying the required filing fee at the time the notice is filed. The Clerk of the Board of Adjustment shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.

* * *

(Ord. No. 23755, § 2, 12-2-08; Ord. No. 24009, § 3, 2-2-10; Ord. No. 24128, § 2, 8-31-10; Ord. No. 24136, § 1, 9-28-10; Ord. No. 24276, § 1, 5-24-11; Ord. No. 24290, § 2, 6-21-11; Ord. No. 24291, § 2, 6-21-11; Ord. No. 24478, § 1, 6-19-12; Ord. No. 24498, § 1, 7-31-12; Ord. No. 24574, § 1, 12-4-12; Ord. No. 24609, § 3, 2-19-13; Ord. No. 24726, § 2, 8-13-13; [Ord. No. 24901, § 2, 6-10-14](#); [Ord. No. 24902, § 2, 6-10-14](#); Ord. No. [25264](#), § 2, 10-27-15; Ord. No. [25434](#), § 3, 8-16-16; [Ord. No. 26081, § 1, 1-15-19](#); [Ord. No. 26085, § 1, 2-12-19](#))

ARTICLE VII. SPECIAL PURPOSE DISTRICTS

* * *

§ 59-7250 HISTORIC PRESERVATION REGULATIONS

7250.1. Purpose.

The City hereby declares that the historical, architectural, cultural and aesthetic features of the City represent some of the finest and most valuable resources of the City. Such resources are the embodiment of the heritage of the people of Oklahoma City, therefore, it is hereby declared that the purpose of this section, to be known as the "Historic Preservation Ordinance," shall be as follows:

- A. To promote the creation of historic districts for the educational, cultural, economic and general welfare of the public through the preservation, protection, and regulation of buildings, sites, monuments, structures, and areas of historical interest or importance within the City.
- B. To safeguard the heritage of the City by preserving and regulating historic landmarks and districts that reflect elements of its cultural, social, political and architectural history.
- C. To preserve and enhance the environmental quality of neighborhoods.
- D. To strengthen the City's economic base by the stimulation of conservation and reuse.
- E. To establish and preserve property values.
- F. To foster economic development.
- G. To insure the harmonious, orderly and efficient growth and development of the municipality.
- H. To promote the use of historic landmarks and districts for the culture, prosperity, education and welfare of the people of the City and visitors to the City.
- I. To establish a preservation plan to accomplish the goals of this section.

7250.2. Historic District Designation.

- A. *Historic District Designation Process.*
 - (1) The City may designate tracts and sites for inclusion within the Historic Landmark Overlay District (HL Overlay District) and/or the Historic Preservation District (HP District) in the same manner prescribed for the designation of other zoning districts by this chapter and subject to compliance with this section. All designations of tracts and sites for inclusion within the Historic Landmark District shall be reviewed and considered by the Historic Preservation Commission. The Historic Preservation Commission shall forward its recommendation regarding a proposed district designation to the Planning Commission and City Council.
 - (2) Notice of consideration of a district designation by the Historic Preservation Commission shall be the same as is required for consideration of the adoption or

amendment of zoning district boundaries by the Planning Commission as such is prescribed in Article IV, Administrative Procedures. As a part of such notice, the Planning Department staff shall notify the owner or owners of record of affected properties by regular mail of the proposed designation, including a copy of the proposed designation ordinance, a letter outlining the basis for the designation, and the obligations and restrictions which result from such designation.

- (3) The initiation of a proposal for designation may be made by the Historic Preservation Commission, City Council or Planning Commission, or by the application of more than 50 percent of the owners of the parcel to be designated, or their agents, authorized in writing to make such an application, which may include neighborhood associations. Any application shall be made upon forms or pursuant to standards set by the Historic Preservation Commission for this purpose. Within 90 days of the initiation of a proposal for designation, the Historic Preservation Commission shall consider and provide a recommendation on the proposal. Upon request by the Historic Preservation Commission or the Planning Commission, the City Council may at any time during the designation process refer a proposal for designation to the requesting Commission for evaluation or additional evaluation.
- (4) The Historic Preservation Commission may solicit and present expert testimony or documentary evidence regarding the historical, architectural, archeological or cultural importance of the property proposed for designation.
- (5) As part of every such designation, or amendment of a designation, the Historic Preservation Commission shall state in written form the attributes of the area or site designated as such attributes relate to, and comply with, the review criteria for district designation as provided in this section. In addition, the Historic Preservation Commission shall state in writing whether or not, in its review, a designation is in compliance with prior actions of the City Council approving plans, programs or authorizations for public trusts, agencies or authorities of the City. It shall be the duty of the Planning Department staff to report to the Historic Preservation Commission as to the existence of such plans, programs or authorizations which might have application to the property proposed for designation, and further to offer a professional opinion as to whether or not the proposed designation is in accordance with such plans, programs or authorization.
- (6) The Planning Department staff shall officially notify the Historic Preservation Commission of all approvals or disapprovals of designation ordinances at the next regular meeting of the Historic Preservation Commission following City Council action.
- (7) The Historic Preservation Commission shall have the authority to effect the amendment or repeal of any designation of a site, structure, building, district or monument in the same manner, and according to the same procedure, as provided herein for the original designation.
- (8) Upon the notice by the Planning Department staff that the initiation of a designation has occurred, no building or demolition permit to alter or demolish any property within the proposed district shall be issued, and no work requiring a Certificate of Appropriateness shall be performed, until final action upon said

proposal of designation by the City Council, or for 180 days, whichever is shorter. Provided however, if the Planning Department staff determines that in its opinion facts exist that indicate there is an imminent threat to life or property, then a permit may be issued. In the event an applicant desires to perform work requiring a Certificate of Appropriateness pending said designation process, said applicant may apply for a pre-designation Certificate of Appropriateness before the Historic Preservation Commission. In considering an application for a pre-designation Certificate of Appropriateness, the Historic Preservation Commission shall use the same criteria for review as set forth in this Article.

- (9) In the event that the Historic Preservation Commission or the Planning Commission initiates an application for designation and such initiation does not include evidence of support from more than fifty percent (50%) of the owners of the parcel to be designated, or their agents, authorized in writing to make such an application, which may include neighborhood associations, then the City Manager shall place on the agenda of the next regular City Council meeting, a resolution to apply the provisions of paragraph 8 of this subsection to the parcel. If a motion to approve such resolution does not receive at least a majority of affirmative votes of the seated members of the City Council, the provisions of paragraph 8 of this subsection shall not apply during the designation process. If for any reason the resolution does not receive the required affirmative vote of the City Council as provided for in the paragraph within 20 business days after the initiation of the designation, the provisions of paragraph 8 of this subsection shall not apply during the designation process. If a motion to approve such resolution does receive at least a majority of votes of the seated members of the City Council, the provisions of paragraph 8 of this subsection shall apply during the designation process. In any case, the provisions of paragraph 8 of this subsection shall apply to the parcel until such a time the Council acts as provided for in this paragraph, or until the 20 business days have passed as provided for in this paragraph, whichever comes first.
- (10) A proposal for designation of a property or district shall not be initiated for at least one year after final action has been taken on a previous proposal for the same property or district, except that a proposal for an individual property may be initiated if said property previously was considered as part of a district.
- B. *Historic District Designation Criteria.* A site, structure, building, district or monument may be designated for preservation as a landmark or historic district, and thus may be included within the Historic Preservation District or the Historic Landmark Overlay District, to preserve places and areas of historical, cultural, architectural, engineering or archaeological significance if such possesses one or more of the following attributes within the categories below:
- (1) *Historical, Cultural Category.*
- (a) Such has significant character, interest or value as part of the development, heritage or cultural characteristics of the locality, state or nation, or it is associated with the life of a personality significant to the past.
- (b) Such has the site of a historic event with a significant effect upon the development, heritage or cultural characteristics of the locality, state or nation.

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- (c) Such exemplifies the cultural, political, economic, social or historic heritage of the community.
 - (2) *Architectural, Engineering Category.*
 - (a) Such portrays the environment in an era of history characterized by a distinctive architectural style.
 - (b) Such embodies those distinguishing characteristics of an architectural type or engineering specimen.
 - (c) Such is the work of a designer, architect or contractor whose individual work has influenced the development of the community or of this nation.
 - (d) Such contains elements of a design, detail, materials or craftsmanship which represents a style unique to the past.
 - (e) Such is a part of, or related to, a square, park or other distinctive area, and should be developed and preserved according to a plan based on a historical, cultural or architectural motif.
 - (f) Such represents an established and familiar visual feature of the neighborhood, community or skyline owing to its unique location or singular physical characteristics.
 - (3) *Archeological Category.*
 - (a) Such has yielded, based upon physical evidence, or is likely to yield, information important to history or pre-history.
 - (b) Such is part of or related to a distinctive geographical area, which should be developed or preserved according to a plan based on historical, cultural, or architectural motif.

7250.3. General Provisions.

- A. *Minimum Maintenance.* Designated landmarks, or structures, buildings or monuments within historic districts, shall be maintained to meet the minimum requirements of codes and ordinances governing the public health, safety and welfare. The Historic Preservation Commission, on its own initiative, may file a resolution with the appropriate officer(s) requesting said officer(s) to proceed under the appropriate codes to require correction of defects or initiation of repairs. All persons in charge of a landmark, or a structure, building or monument within a historic district, shall keep, in good repair, all of the exterior portions of such resources, including appropriate landscaping, windows and doors.
- B. *Historic Preservation Commission Review.* All matters regarding property or sites situated within the Historic Preservation District or the Historic Landmark Overlay District shall be reviewed and considered by the Historic Preservation Commission prior to final action by the Planning Commission, Traffic Commission, Board of Adjustment or City Council.
- C. *Preservation Review Committees.* The Historic Preservation Commission shall be empowered to appoint Preservation Review Committees to assist applicants appearing before the Historic Preservation Commission. The Historic Preservation Commission shall be further empowered to establish the procedures for appointment of review committees and to establish rules for their operation. Review committees shall be comprised of non-Historic Preservation Commission members whose purpose it shall be

to provide technical support to property owners regarding their renovation and rehabilitation projects, and to make non-binding recommendations to the Historic Preservation Commission regarding applications for Certificates of Appropriateness.

- D. *Taxes.* Nothing in this section shall be construed as reason for an increased valuation of property for purposes of ad valorem taxation because of HP or HL designations.
- E. *Property Owned by Public Agencies.* The requirements, provisions and purposes of this section shall apply to all property owned by the City or any other public agency. However, designation, pursuant to this section, shall not affect the validity of prior actions of the City Council approving plans, programs or authorizations for public trusts, agencies or authorities of the City without an express amendment of such plan, program or authority.

7250.4 HP Historic Preservation District.

All property within the City previously designated as Historic Preservation District (HP District) as of October 21, 1980, and all property subsequently included within this District, shall be subject to and comply with the regulations and restrictions of this section. The HP District is intended as a basic zoning district and is not intended as an overlay zoning district.

- A. *District Identification.* Sites designated by the City Council as being within the HP District shall be identified on the Official Zoning Districts Map of the City, and in other official writings, by the suffix "HP."
- B. *Qualifier.* Except for the provisions specifically contained in this section, all other provisions of this chapter shall apply to and have full force upon the properties contained in the HP District.
- C. *Certificate of Appropriateness Required.* A Certificate of Appropriateness shall be required in the following instances prior to the commencement of work upon any structure or site located within the Historic Preservation District. Standards for Certificates of Appropriateness are set forth in § 59-4250.D.
 - (1) Whenever such work requires a building, sign, or fence permit issued by the City.
 - (2) Whenever such work includes the application of paint to a previously unpainted brick or masonry exterior surface.
 - (3) Whenever such work includes the removal of paint from any brick or masonry exterior surface.
 - (4) Whenever such work includes the construction or enlargement of a driveway or parking area.
 - (5) Whenever such work includes the erection, moving, demolition, reconstruction, restoration or alteration of the exterior of any structure or site, except when such work satisfies all the requirements for ordinary maintenance and repair as defined in this section, or except when such work meets the following criteria:
 - (a) Landscape elements as described in Section 2.5.3 of the Preservation Standards and Guidelines.

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- (b) Plants and plantings as defined in Section 2.7 of the Preservation Standards and Guidelines.
 - (c) Pre-fabricated buildings meeting the requirements of Section 3.9.5 and Section 4.5.1 of the Preservation Standards and Guidelines.
 - (d) Exterior paint color for wood or stucco surfaces as described in Section 3.2 of the Preservation Standards and Guidelines.
 - (e) Painting of garage doors.
 - (f) Installation and use of garage door openers at new overhead garage doors.
- (6) Whenever such work involves the replacement of more than one half of a feature or material on any one surface of any one face of a building, including the roof, as described in Sections 3.1.11—3.1.13 of the Preservation Standards and Guidelines.
- D. *Development Regulations.* Unless otherwise specifically provided in this section, the following regulations shall be applicable to the HP District:
- (1) All structures and grounds shall be maintained in good condition in keeping with the historical nature of the designated site.
 - (2) All driveways shall have hard surface pavement.
 - (3) Outside storage of materials or supplies on a permanent basis is prohibited.
 - (4) All external signs and advertising displays shall be limited to one sign per building, per street frontage. However, if a building houses multiple tenants, and if one or more of the tenants occupies a section of the building with distinct and direct access from the exterior of the building, then one sign shall be allowed for each access way, but no tenant shall have advertising on more than one sign. Total display surface shall be limited to ten percent of the wall area, including windows, of the street frontage to which the sign relates or attaches.
 - (5) Residential identification nameplates shall be placed flat against the front exterior wall and limited to four square feet.
 - (6) One temporary sign, not exceeding six square feet offering a property for sale or lease is permitted.
 - (7) One temporary sign stating a contractor or subcontractor's name is permitted for a period of construction, provided the sign is removed within ten days following completion of the work, with a total period not to exceed 180 days.
 - (8) Neighborhood sponsored or sanctioned special event signs are permitted for 30 days prior to an event and 14 days after an event, with a total time limit not to exceed 45 days. All existing signs or displays not in conformance with the provisions of this article shall be removed.
 - (9) Parking and/or operation of all vehicles, boats, trailers or the like shall be allowed only on hard surface pavement in driveways and except for periods of loading and unloading, not to exceed 72 hours. All boats, commercial vehicles of more than two axles, recreational vehicles and trailers shall be parked completely to the rear of the front building line of the main building located on the subject property and, in the

case of a corner lot, any such vehicle shall be screened from view from the side street abutting the subject property.

- E. *Ordinary Maintenance or Repair.* Nothing in this section shall be construed to prevent ordinary maintenance or repair of any structure as defined in Sections 3.1.11-3.1.13 of the Preservation Standards and Guidelines; however, a Certificate of Appropriateness may be required as outlined in Chapter 59-7250.4.C.
- F. *Use Regulations.*
 - (1) *Permitted Uses.* Table 7250.1 lists the uses allowed in the HP District.
 - (2) *Additional Accessory Uses Permitted.*
 - (a) Directional and information signs, subject to the provisions of Chapter 3, Article V of the Oklahoma City Municipal Code.
 - (b) *Private garages.*

TABLE 7250.1: HP DISTRICT USE REGULATIONS		
KEY: P = Permitted // SE = Special Exception // V = Variance		
Reference Section 59-9350 for standards for specific uses identified as (SE).		
USE		HP DISTRICT
8250.2	Community Recreational: General ¹	P
8250.5	Cultural Exhibits	SE
8450.2	Mining and Processing: Oil and Gas	V
8250.14	Low Impact Institutional: Neighborhood-Related	SE
8300.51.1	Lodging Accommodations: Home Sharing	SE
8200.12	Multiple-Family Residential	SE
8200.14	Single-Family Residential ²	P

FOOTNOTES: TABLE 7250.1

¹ Excluding recreation facilities or services furnished on payment of a fee or admission charge.

² No more than one single-family dwelling per lot.

(Ord. No. 24009, § 5, 2-2-10; Ord. No. 24498, § 2, 7-31-12; [Ord. No. 24902, § 3, 6-10-14](#); [Ord. No. 26081, § 3, 1-15-19](#); [Ord. No. 26282 10-22-19](#))

§ 59-7300. Neighborhood Conservation District.

7300.1. NC Neighborhood Conservation District.

- A. *General Description.* The purpose of this district is to encourage, promote and facilitate the conservation and/or revitalization of older areas.
- B. *Legal Description and Map.* The legal description and map of the NC District and the corresponding tracts are found in Appendix A.
- C. *Qualifier.* Except for the provisions specifically contained in this section, all other provisions of this chapter shall apply to and have full force upon the properties contained in the NC District.

7300.2 General Regulations for Tracts 1—5 of the Neighborhood Conservation District.

- A. *Parking of Vehicles.* It shall be unlawful and an offense for any person, firm or corporation to park or store any vehicle on private residential property unless such vehicle is parked on a permanently hard-surfaced area or driveway, or such vehicle is parked completely to the rear of the front building line of the main structure located on said property. In the case of a corner lot, a vehicle in the rear yard, on unpaved surface, shall be screened from view from the side street on which the property abuts. The provisions shall be enforced in accordance with Article X. Off-Street Parking, Loading and Access of this chapter.
- B. *Landscaping and Screening.*
 - (1) All property shall be landscaped and screened according to Article XI Landscaping and Screening, provided however, that Tract 5 shall be governed by the parking lot screening regulations of Section 59-7300.8.
 - (2) *Sight-Proof Fencing.* Required sight-proof fencing shall be made of wood or masonry. Metallic or plastic fences shall not be permitted for sight-proof screening.
- C. *Accessory Structures and Uses.* Carports shall be located behind the front building line of the main structure on the lot. All other accessory storage structures shall be located in the rear yard.
- D. *Storage of Trash Receptacles.* Except for Tract 5, cans or receptacles containing garbage and rubbish shall be stored behind the rear building line of the main structure, except on the days of scheduled garbage pickup, and shall be screened from view from the street.
- E. *Outside Storage of Materials or Supplies.* Outside storage of materials or supplies is prohibited, except for furniture used for outdoor dining at restaurants in Tract 5.
- F. *Lawn or Porch Furniture.* Lawn or porch furniture made of metal, wood or vinyl/plastic shall be the only type of furniture allowed on a porch or in yards.
- G. Unless allowed conditionally as annotated in Table 7300.1, the owner/operator of any property who wishes to serve or sell alcoholic beverages, as defined by State law and subject to State licensing requirements, for on-premises consumption as an accessory function of the primary use of the property, may apply for a Special Permit, subject to

the following conditions, providing that the primary use is permitted within the zoning district, and providing that the facility in which the alcoholic beverages are served or sold complies with the City's building code requirements.

If food or beverages are consumed in an outdoor seating/activity area between the hours of 11:00 p.m. and 8:00 a.m., the outdoor seating/activity area shall be separated by a distance of at least 100 feet from the nearest abutting property line of a residential use. Distances shall be measured from the closest edge of the outdoor seating/activity area to the nearest abutting property line of the residential use.

7300.3. Architectural Controls for Neighborhood Conservation Tracts 1 through 4.

- A. *Design Review.* Modifications to properties within the Neighborhood Conservation District with either a Historic Landmark or Urban Design Overlay shall be subject to the design review process and requirements of those districts, which may include the requirement for a Certificate of Appropriateness or Certificate of Approval, whichever is applicable.
- B. *Rolled Roofing.* Rolled roofing shall not be permitted on pitched roofs.
- C. *Retaining Architectural Elements.* The following architectural elements shall be retained: brackets, knee braces, exposed rafter tails, and roof purlins and eaves. Roof details shall be repaired as necessary and if they have to be removed they shall be replaced with duplicates. In addition, porch columns, railings, and wood, brick or concrete steps for houses shall be retained, consistent with the original design of the structure.
- D. *Maintenance of Brick.* Brick on structures shall not be painted or stuccoed, or cleansed by sandblasting or high pressure water cleaning methods. High pressure water cleaning shall be that for which pressure is in excess of 100 pounds of pressure per square inch. Chimneys shall be retained.
- E. *Replacement of Windows and Doors.* All windows casements or sash, except for latches, locks, hinges, panes, and similar equipment and elements, shall be of wood. Replacing deteriorating windows shall be done with matching replacements and the window opening shall not be decreased in size. All windows in a structure shall be of the same style and materials. Storm windows which are placed outside an ordinary window do not have to be made of wood. Slab doors shall not be permitted, regardless of the type of materials of which they are composed.
- F. *Replacement of Siding.* Wood siding shall be replaced with wood siding. Aluminum or vinyl siding shall not be permitted.
- G. *Filling-In of Windows and Doors.* No windows or doors shall be filled in. This shall not include vacant structures that have been secured through the covering of windows or doors.
- H. *Enclosure of Porches.* Front porches shall only be enclosed with wood frames and screens. Glass shall not be permitted.
- I. *Location of Mechanical Systems.* Window air conditioners shall not be permitted on the front of the primary structure. In addition, heating and air conditioning equipment and

solar panels shall not be located on the front wall of the primary structure, or located on the roof so that they are visible from the street.

7300.4. Neighborhood Conservation District Tract 1 Regulations.

- A. *Use Regulations.* Uses permitted in NC Tract 1 can be found in Table 7300.1.
- B. *Development Regulations.*
 - (1) *Bulk Standards.* Bulk standards for NC Tract 1 can be found in Table 7300.2.
 - (2) *Paving.* No more than 30 percent of the front yard shall be paved, and the maximum width of driveways shall be 12 feet.

7300.5. Neighborhood Conservation District Tract 2 Regulations.

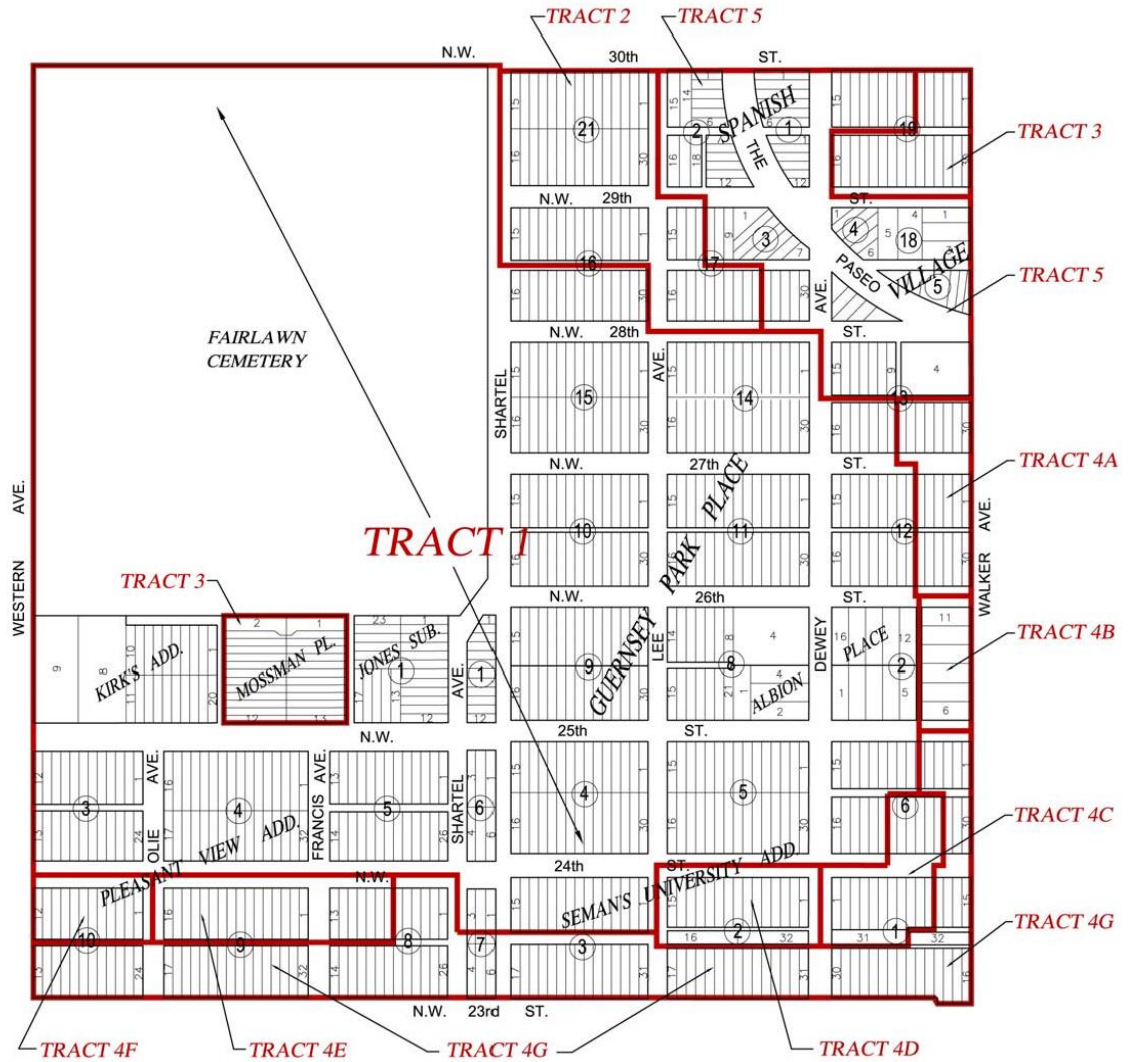
- A. *Use Regulations.* Uses permitted in NC Tract 2 can be found in Table 7300.1.
- B. *Development Regulations.*
 - (1) *Bulk Standards.* Bulk standards for NC Tract 2 can be found in Table 7300.2.
 - (2) *Landscaping and Screening.* All property shall be landscaped in accordance with Article XI. However, sight-proof fencing and sight-proof landscaping may be reduced to a height of four feet.
 - (3) *Paving.* No more than 50 percent of the front yard shall be paved.

7300.6. Neighborhood Conservation District Tract 3 Regulations.

- A. *Use Regulations.* Uses permitted in NC Tract 3 can be found in Table 7300.1.
- B. *Development Regulations.*
 - (1) *Bulk Standards.* Bulk standards for NC Tract 3 can be found in Table 7300.2.
 - (2) *Landscaping and Screening Requirement.* All property shall be landscaped in accordance with Article XI. However, sight-proof fencing and sight-proof landscaping may be reduced to a height of four feet.
 - (3) *Paving.* No more than 50 percent of the front yard shall be paved.

7300.7. Neighborhood Conservation District Tract 4 Regulations.

- A. *Required Off-Street Parking for NC Tract 4.* Off-street parking required for a use in NC Tract 4 does not have to be located on the same site as the use, so long as:
 - (1) The parking is located within 150 feet of the site.
 - (2) The parking and the site are not separated by an arterial street.
 - (3) There is hard-surfaced access between the parking and the site.
 - (4) The parking is not located in NC Tract 1 or in Sub-Tracts 4A or 4B.
- B. *Regulations for Tracts 4A, 4B, 4C, 4D, 4E and 4F.*
 - (1) Except as provided for otherwise in subsequent sections, Sub-Tracts 4A through 4F shall be governed under the use and development regulations of the particular zoning district designated for each Sub-Tract and shown in the map included in the following map.



- (2) Parcels of land in Sub-Tracts 4A, 4B, 4C, 4D, 4E and 4F, may be developed in accordance with the use and development regulations of Sub-Tract 4G if:
- (a) A site plan is prepared clearly demonstrating compliance with the following, and development and use of the site is in accordance with the site plan:
 1. The orientation of the building is towards Walker Avenue or Northwest 23rd Street.
 2. No more than 50 percent of the front yard area for any site abutting Walker Avenue is paved for parking.
 3. The lot width of any parcel abutting Walker Avenue or Northwest 24th is at least 120 feet. Additionally, there is only one driveway intersection with

Walker Avenue for the parcels abutting Walker. There shall be no driveway intersection with Northwest 24th.

4. Parking lots abutting Northwest 24th Street shall have berms, shrubs or a brick wall at least two feet in height along the Northwest 24th Street abutment.

5. No access is taken from Northwest 24th Street.

(b) The site plan is submitted to the Director for review and the plan is approved.

(c) The use and development of the parcel are in accordance with the site plan.

C. *Use Regulations for NC Tract 4G.*

(1) Uses permitted in NC Tract 4G can be found in Table 7300.1.

(2) All permitted uses shall take place within a completely enclosed building.

D. *Development Regulations for NC Tract 4G.* Bulk standards for NC Tract 4G can be found in Table 7300.2.

7300.8 Neighborhood Conservation District Tract 5 Regulations.

In case of a conflict, the regulations established in Section 59-7300 of this article, which are applicable to Tract 5, would supersede those regulations established in Section 59-13700 Urban Design District.

A. *Use Regulations.*

(1) *Permitted Uses.* Uses permitted in NC Tract 5 can be found in Table 7300.1.

(2) All permitted uses shall take place within a completely enclosed building, except for the following:

(a) Outdoor Sellers, as defined in Chapter 39, Article III, of this Code, shall be subject to the following regulations:

1. All outdoor sellers shall comply with regulations for outdoor sellers as set forth in Chapter 39, Article III, of this Code, entitled "Outdoor Sellers."
2. No outdoor seller may operate in one location for more than 14 consecutive days.

(b) Outdoor art festivals and cultural events utilizing the public streets, public ways, other public grounds, shall be subject to the following regulations:

1. The sponsor of an art festival or event utilizing the public streets, public ways, or other public grounds shall first obtain a revocable permit from the City Council for such purpose.
2. All other necessary permits required by the City or the State of Oklahoma shall be obtained for a festival or event utilizing the public streets, public ways, or other public grounds pursuant to a revocable permit from the City Council; provided, no outdoor sellers permits shall be required for areas located within the public streets, public ways, or other public grounds encompassed by the revocable permit.

3. Participants in the festival or event shall comply with all applicable provisions of this Code designed for protection of the public health and safety.
4. No outdoor seller, exhibit, display, or other structure shall set up or occupy any portion of the public streets, public ways, or other public grounds subject to the revocable permit except with the written permission of either (1) the sponsor of the festival or event to whom the revocable permit was granted or (2) the landowner abutting the portion of a street, way, and ground where the set up or occupation will occur and then (3) only in full compliance with the provisions of the revocable permit.
5. Exhibits, displays, and structures erected on any portion of the public streets, public ways, or other public grounds subject to the revocable permit shall be temporary and shall be removed by 12:00 pm the day following the close of the festival or event.
6. Such festivals or events shall be exempt from the development and sign regulations specified in this section.
7. The time period for a festival or event shall not exceed seven consecutive days, with the specific time period for the festival or event to be specified in the revocable permit.

(c) *Automobile Service Stations.*

B. *Development Regulations.*

(1) *Bulk Standards.* Bulk standards for NC Tract 5 can be found in Table 7300.2

(2) *Design Review by the Urban Design Commission.*

(a) *Justification.* Because of its historic role as one of the City's earliest commercial districts, and because its architectural type and elements represent a style unique to the past, a design review process is established to aid in the preservation of NC Tract 5.

(b) *Requirement for Certificate of Approval.* A Certificate of Approval shall be required in the following instances before the commencement of work upon any structure or site within NC Tract 5:

1. *Permit Required.* Whenever such work requires a building permit for changes to the building exterior, or a sidewalk, driveway or fence permit issued by the City.
2. *Changing Building Exterior.* Whenever such work includes the erection, moving, demolition, reconstruction, restoration or alteration of the exterior of any building.
3. *Painting Unpainted Brick or Masonry.* Whenever such work includes the application of paint to a previously unpainted brick or masonry exterior surface of a building.
4. *Changing Building Material.* Whenever such work includes the changing of the material on the exterior surface of a building.

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5. *Attaching Mechanical or Electrical Equipment.* Whenever such work includes the attachment of any type of mechanical or electrical equipment to the exterior surface of a building's front façade.
 6. *Changing Awning or Canopy.* Whenever such work involves the addition or alteration of an awning or canopy.
- (c) *Certificate of Approval to be Issued by Urban Design Commission prior to Issuance of Permits.*
1. *Permit Review.* No building, fence, sidewalk, driveway or demolition permit shall be issued by the Director for any structure or site located, wholly or partially, within NC Tract 5 until an application for a Certificate of Approval has been reviewed by the Urban Design Commission and has been granted.
 2. *Appeal.* Any person aggrieved by a decision of the Urban Design Commission may appeal such decision to the Board of Adjustment. The appeal shall be filed in accordance with the provisions of Section 59-4250.10 (Appeals).
- (d) *Design Guidelines for NC Tract 5.* The Urban Design Commission shall use the following guidelines in their review of applications for Certificates of Approval for NC Tract 5. All work proposed within the district shall also be reviewed using the guidelines referenced in 13700.8, Legacy Resources.
1. *General Characteristics.* This district lines a curvilinear street. The Spanish Revival Style is apparent, with use of tile roofs and stucco façades. Suggestions of Spanish adobe-type buildings also exist in stucco, with simple lines and parapet roofs. Some of the newer buildings do not follow either of the architectural styles. Remodeling of a few of the older buildings has hidden major elements of the original architectural style. The buildings are no more than two stories in height. Uniform building setback contributes to visual continuity of the district. Most of the parking is either on the street or in the rear of the structures.
 2. *Rehabilitation/Remodeling Buildings in the Spanish Revival Style.*
 - a. Retain façades.
 - b. Retain existing windows.
 - c. Retain tile roofs.
 - d. Retain architectural features, such as enriched cornice window heads and enriched corbels.
 3. *Rehabilitation/Remodeling All Other Buildings.*
 - a. All remodeling or rehabilitation of exteriors shall ensure the integrity of the building, but should not conflict with the overall architectural character of the district.

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- b. Spanish Revival façades that have been hidden since original construction shall be restored if a building permit is required for any façade rehabilitation work.
 - c. Accessory buildings shall incorporate at least one of the architectural elements of the other buildings on The Paseo street, such as parapets, clay tile roof, stucco façade.
4. *New Construction.*
- a. Building designs shall incorporate some of the major elements of the Spanish Revival Style or architecture. Stucco buildings with clay tile and/or parapet roof treatments are encouraged.
 - b. The demolition of existing Spanish Revival buildings, or elements thereof, is discouraged.
 - c. New construction should maintain setbacks consistent with existing buildings to retain the visual continuity of the district.
5. *Street Furniture.* Street furniture shall be coordinated in terms of style and color.
6. *Awnings and Canopies.* The style and color of awnings and canopies shall be coordinated with the architectural style and character of the area.
7. *Sidewalks.* All segments of sidewalks shall be repaired with the same materials and in the same style as adjacent segments of sidewalk.
8. *Mechanical and Electrical Equipment and Satellite Dishes.* Mechanical and electrical equipment and satellite dishes on roofs shall be hidden from street level.
- (3) *Building Materials.*
- (a) *Roofing with Clay Tiles.* Clay tile roofs on existing buildings shall be retained.
 - (b) *Stucco for Building Exterior.* Stucco on the exterior of the walls of existing buildings shall be retained.
 - (c) *Light reflective or tinted-glass windows.* Light reflective or tinted-glass windows for buildings shall not be allowed.
 - (d) *Cloth Awnings.* Awnings shall be made of cloth.
- (4) *Parking Lot Screening.*
- (a) A stucco wall, shrubbery or landscaped earthen berm at least two feet and no more than three feet in height, shall be placed around all sides of the parking lots abutting a street.
 - (b) Stucco walls or earthen berms shall not be placed on the right-of-way.
 - (c) Proper sight triangles shall be maintained on all street and driveway intersections, in accordance with this chapter.

(5) *Dumpster Locations.* On a lot abutting The Paseo street, dumpsters shall be located behind the primary building on the lot and shall be at least 25 feet from a property line adjacent to any property zoned for residential development.

(6) *Signs.*

(a) *Allowed Signs for Buildings.*

1. *Window, Awning or Attached Signs.* Window, awnings or attached signs are permitted.

a. *Number.* Only one sign shall be allowed per building, per street frontage. However, if a building houses multiple tenants, and if one or more of the tenants occupies a section of the building with distinct and direct access from the exterior of the building, then one sign shall be allowed for each access way, but no tenant shall have advertising on more than one sign.

b. *Maximum Display Surface for Each Sign.* Twenty square feet for window and awning signs and six square feet for attached signs.

2. *"Open" and "Closed" Signs Inside Buildings.* Signs with the message "open" or "closed" are allowed in addition to a window or awning sign provided said signs shall be no larger than four square feet.

(b) *Allowed Signs for Parking Lots.* One freestanding sign for a parking lot is allowed so long as the maximum display surface is 20 square feet and the maximum height is six feet above the grade level of the ground surface adjacent to the structural support.

(c) *Prohibited Signs.*

(1) *Flashing signs.* Flashing signs are prohibited.

(2) *Neon signs.* Neon signs, larger than four square feet or located on the exterior of the building are prohibited.

(3) *Fluorescent luminaries with plastic faces.*

(4) *Non-accessory signs.* Non-accessory signs are prohibited.

(7) *Murals.* Murals (Use Unit 8250.16) are regulated under Section 59-9350.46 of this chapter. Murals are a Conditional Use in Tract 5 and require the approval of both the Arts Commission and Urban Design Commission.

(8) *Banners.* Banners identifying the Paseo Arts District may be placed on public light posts on Paseo Street. The placement of the banners shall be in accordance with Chapter 3, Article VI and the Oklahoma City Banner Display Guidelines, maintained by The City of Oklahoma City Traffic Management Division.

C. Reserved.

D. Reserved.

E. Reserved.

F. Reserved.

G. *Maintenance.*

- (1) All buildings shall be maintained in accordance with City codes.
- (2) All unused brackets and other types of hardware and appurtenances shall be removed from the exterior of buildings.
- (3) All segments of sidewalks shall be repaired with the same materials and in the same style as adjacent segments of sidewalk.

TABLE 7300.1: NC NEIGHBORHOOD CONSERVATION DISTRICT USE REGULATIONS

KEY:

P = Permitted // C = Conditional // SE = Special Exception // SP = Special Permit //

V = Variance

Reference Section 59-9350 for standards for specific uses identified as (C), (SE), or (SP).

USE		NC DISTRICT - TRACT				
		1	2	3	4G	5
8350.1	Aboveground Flammable Liquid Storage: General	SE	SE		SE	SE
8350.2	Aboveground Flammable Liquid Storage: Restricted	SE	SE	SE	SE	SE
8300.1	Administrative and Professional Offices				P	P
8300.2	Adult Day Care Facilities	SE	SE	SE	SE	SE
8300.6	Animal Interment Services	SE	SE	SE	SE	SE
8150.5	Animal Raising: Personal	P	P	P	P	P
8150.3	Animal Raising: Commercial	P	P	P	P	P
8300.8	Animal Sales and Services: Grooming				P	P
8300.13	Automotive: Parking Lots, as a Principal Use			P	P	
8300.23	Building Maintenance Services				P	P
8300.24	Business Support Services				P	P
8300.25	Child Care Centers	SE	SE	SE	SE	SE
8300.28	Communications Services: Broadcast Towers	SP	SP	SP	SP	SP
8300.29	Communications Services: Limited				P	P
8300.30	Communications Services: Telecommunications Towers	SP	SP	SP	SP	SP
8250.2	Community Recreation: General	SE	SE	SE	P	P
8250.3	Community Recreation: Property Owners Association	P	P	P	P	P
8250.4	Community Recreation: Restricted	C	C	C	P	P
8200.1	Congregate Care Housing and Convalescent Homes		C	C		
8300.32	Convenience Sales and Personal Services				P	P
8250.5	Cultural Exhibits				P ²	P ²
8350.3	Custom Manufacturing				P	P
8250.6	Domestic Violence Shelters	SP	SP	SP	SP	SP
8300.36	Eating Establishment: Drive-In				P ²	P ²

8300.37	Eating Establishment: Sitdown ³				P ²	P ²
TABLE 7300.1: NC NEIGHBORHOOD CONSERVATION DISTRICT USE REGULATIONS KEY: P = Permitted // C = Conditional // SE = Special Exception // SP = Special Permit // V = Variance Reference Section 59-9350 for standards for specific uses identified as (C), (SE), or (SP).						
USE		NC DISTRICT - TRACT				
		1	2	3	4G	5
8300.38	Eating Establishment: Sitdown, Alcohol Permitted				C	C
8300.39	Eating Establishment: Sitdown, Limited Alcohol Permitted				P	P
8250.7	Emergency Shelter and Feeding Sites	SP	SP	SP	SP	SP
8300.41	Food and Beverage Retail Sales				P ²	P ²
8250.8	Forced Detention and Correction Facilities	SP	SP	SP	SP	SP
8300.43	Funeral and Interment Services: Interring	SE	SE	SE	SE	SE
8350.5	Hazardous Waste Disposal	SP	SP	SP	SP	SP
8250.9	Heavy Public Protection and Utility	SP	SP	SP	SP	SP
8250.10	High Impact Institutional	SP	SP	SP	SP	SP
8150.7	Horticulture				P	P
8300.48	Laundry Services				P	P
8250.11	Library Service and Community Centers	C	C	C	P	P
8250.12	Light Public Protection and Utility: General	C	C	C	P	P
8250.13	Light Public Protection and Utility: Restricted	P	P	P	P	P
8250.14	Low Impact Institutional: Neighborhood-Related	C	C	C	P	P
8200.5	Low Impact Institutional: Residential-Oriented	P	P	P		
8300.51.1	Lodging Accommodations: Home Sharing	C	C	C		C
8300.52	Medical Services: General				P	P
8300.53	Medical Services: Restricted				P	P
8450.1	Mining and Processing: Minerals and Raw Material	SP	SP	SP	SP	SP
8450.2	Mining and Processing: Oil and Gas	V	V	V	V	V
8250.15	Moderate Impact Institutional	SE	SE	SE	SE	SE
8200.12	Multiple-Family Residential		P	P	P	P

8250.16	Murals	C	C	C	C	C
TABLE 7300.1: NC NEIGHBORHOOD CONSERVATION DISTRICT USE REGULATIONS KEY: P = Permitted // C = Conditional // SE = Special Exception // SP = Special Permit // V = Variance Reference Section 59-9350 for standards for specific uses identified as (C), (SE), or (SP).						
USE		NC DISTRICT - TRACT				
		1	2	3	4G	5
8300.55	Participant Recreation and Entertainment: Indoor				P ²	P ²
8300.56	Participant Recreation and Entertainment: Outdoor				SE ²	SE ²
8300.58	Personal Services: General				P ²	P ²
8300.59	Personal Services: Restricted				P ²	P ²
8300.61	Repair Services: Consumer				P	P
8300.62	Research Services: Restricted				P	P
8250.17	Residential Facility for Dependent and Neglected Children	SP	SP	SP	SP	SP
8250.18	Residential Facility for Drug or Alcohol Treatment Centers	SP	SP	SP	SP	SP
8300.63	Retail Sales and Service: General				P ^{1,2}	P ^{1,2}
8350.12	Sanitary Landfill	SP	SP	SP	SP	SP
8200.14	Single-Family Residential	P	P	P		P
8300.67	Spectator Sports and Entertainment: General				SE ²	
8300.68	Spectator Sports and Entertainment: High Impact	SP ²	SP ²	SP ²	SP ²	
8300.69	Spectator Sports and Entertainment: Restricted				P ²	P ²
8200.15	Three- and Four-Family Residential		P	P	P	P
8250.19	Transitional Mental Health Residential Facilities	SP	SP	SP	SP	SP
8400.2	Transportation Facilities: Aircraft	SP	SP	SP	SP	SP
8400.3	Transportation Facilities: Surface Passenger	SP	SP	SP	SP	SP
8200.16	Two-Family Residential	P	P	P		P
8450.4	Underground Injection Well: Enhanced Recovery Well	SE	SE	SE	SE	SE

FOOTNOTES: TABLE 7300.1

¹ Pawnshops are not permitted. In addition, convenience stores are not permitted; these are small grocery stores serving a market area larger than the immediate neighborhood, normally generating a high level of quick turnover traffic and open after 10:00 in the evening.

² The owner/operator of any property who wishes to serve or sell alcoholic beverages, as defined by State law and subject to State licensing requirements, for on-premises consumption as an accessory function of the primary use of the property, shall meet the conditions below. If the conditions cannot be met, then said property owner/operator may apply for a Special Permit. The facility in which the alcoholic beverages are served or sold must comply with the City's building code requirements.

- If food or beverages are consumed in an outdoor seating/activity area between the hours of 11:00 p.m. and 8:00 a.m., the outdoor seating/activity area shall be separated by a distance of at least 100 feet from the nearest abutting property line of a residential use. Distances shall be measured from the closest edge of the outdoor seating/activity area to the nearest abutting property line of the residential use.

- The area allocated to the sale and consumption of alcoholic beverages shall not exceed 15,000 square feet.

³ Any Planned Unit Development or Simplified Planned Unit Development adopted prior to the effective date of this ordinance that permitted the 8300.37 Eating Establishment: Sitdown, Alcohol Not Permitted use unit shall be permitted to develop according to the 8300.38 Eating Establishment: Sitdown, Alcohol Permitted or 8300.39 Eating Establishment: Sitdown, Limited Alcohol Permitted uses provided they meet the applicable conditions, unless the PUD/SPUD specifically prohibited said uses.

TABLE 7300.2: NC NEIGHBORHOOD CONSERVATION DISTRICT BULK STANDARDS			
BULK STANDARDS	DISTRICT		
	NC TRACT 1	NC TRACT 2	NC TRACT 3
Minimum Lot Size	Dwelling: 4,000 sf	Single-Family and Two-Family: 4,000 sf Other: 7,500 sf	Single-Family and Two-Family: 4,000 sf Other: 7,500 sf
Maximum Lot Coverage	70%	—	—
Density	Single-Family: 1 du/4,000 sf Two-Family: 1 du/2,000 sf	Single-Family: 1 du/4,000 sf Two-Family: 1 du/2,000 sf Other: 1 du/2,200 sf (max. of 8 du)	Single-Family: 1 du/4,000 sf Two-Family: 1 du/2,000 sf Other: 1 du/1,250 sf
Minimum Lot Width	Dwelling: 40 ft Other: 100 ft	Dwelling: 40 ft Other: 100 ft	Dwelling: 40 ft Other: 100 ft

TABLE 7300.2: NC NEIGHBORHOOD CONSERVATION DISTRICT BULK STANDARDS			
BULK STANDARDS	DISTRICT		
	NC TRACT 1	NC TRACT 2	NC TRACT 3
Maximum Height	35 ft and 2½ stories	35 ft and 2 stories Except where abutting or within 60 ft of R-1, R-1ZL, R-2, or HP District, or Tract 1 of the NC District: 20 ft and 1 story	35 ft and 2 stories Except where abutting or within 60 ft of R-1, R-1ZL, R-2, or HP District, or Tract 1 of the NC District: 20 ft and 1 story
YARDS			
Front Yard	25 ft ²	25 ft ²	25 ft ²
Side Yard	Zero side yard setback from one lot line, with 10 ft separation between it and any adjacent structure Exterior lots: 10 ft for side of yard abutting street	Interior lot lines: 5 ft Lot lines abutting a street: 15 ft	Interior lot lines: 5 ft Lot lines abutting a street: 15 ft
Rear Yard	10 ft	15 ft	15 ft

TABLE 7300.2: NC NEIGHBORHOOD CONSERVATION DISTRICT BULK STANDARDS		
BULK STANDARDS	DISTRICT	
	NC TRACT 4G	NC TRACT 5¹
Minimum Lot Size	None	None
Maximum Lot Coverage	—	—
Density	1 du/1,250 sf	1 du/1,250 sf
Minimum Lot Width	None	None
Maximum Height	35 ft and 3 stories	28 ft and 2 stories

TABLE 7300.2: NC NEIGHBORHOOD CONSERVATION DISTRICT BULK STANDARDS		
BULK STANDARDS	DISTRICT	
	NC TRACT 4G	NC TRACT 5 ¹
YARDS		
Front Yard	25 ft	—
Side Yard	None Except where abutting R-1, R-1ZL, R-2, R-3, R- 3M, or HP District, or Tract 1 of the NC District: landscaped buffer strip 5 ft and building line setback 15 ft Exterior lot line abutting an arterial street: 25 feet, or 75 feet from centerline, whichever is greater Other exterior lots: 15 ft	—
Rear Yard	None Where abutting R-1, R-1ZL, R-2, R-3, R-3M, or HP District, or Tract 1 of the NC District: landscaped buffer strip 5 feet and building line setback 15 ft	—

FOOTNOTES: TABLE 7300.2

¹ In the NC Tract 5, along the Paseo Street from the south side of Northwest 30th to the half block north of Northwest 28th, there shall be no required yard setback from the right-of-way line at the Paseo Street.

² A 20-foot front yard shall be permitted in new residential areas where there is no existing platted 25-foot building line, or where there is no greater setback established by existing construction in the same block frontage. In a residential development where lots are platted with a 25-foot front yard setback, the front yard of a corner lot may be platted with a reduced depth of 20 feet.

(Ord. No. 23993, §§ 1, 2, 12-8-09; Ord. No. 24009, § 5, 2-2-10; Ord. No. 24128, § 3, 8-31-10; Ord. No. 24660, § 1, 4-30-13; Ord. No. 24726, § 4, 8-13-13; [Ord. No. 25972, § 4, 7-31-18](#); [Ord. No. 26081, § 3, 1-15-19](#); [Ord. No. 26085, § 2, 2-12-19](#))

ARTICLE XII. SITE DEVELOPMENT STANDARDS

* * *

§ 59-12200 STANDARDS FOR ACCESSORY BUILDINGS, STRUCTURES AND USES

12200.1. *Permitted Accessory Structures and Uses.* Accessory structures and uses, including swimming pools, which are customarily associated with, and incidental and subordinate to a principal use, shall be permitted, subject to applicable City codes and the regulations of this chapter. Table 12200.1 indicates which accessory uses are permitted within each district, as indicated by an "X", subject to the regulations of this article.

TABLE 12200.1: PERMITTED ACCESSORY STRUCTURES AND USES

DISTRICT	PERMITTED ACCESSORY STRUCTURES AND USES						
	General Accessory Buildings (Subject to Section 59-12200.2)	Fence (Subject to Section 59-12200.3B)	Accessory Signs (Subject to Municipal Code, Chapter 3 and Section 59-12200.3E) and 59-12200.4C	Home Occupation (Subject to Section 59-12200.3C)	Carport (Subject to Section 59-12200.3A)	Swimming Pools (Subject to City Code Chapter 12)	Satellite Dishes Subject to Section 59-12200.3D)
AA ²	X	X	X	X		X	
RA2	X	X	X	X		X	X
RA	X	X	X	X		X	X
R-1	X	X	X	X	X	X	X
R-1ZL	X	X	X	X	X	X	X
R-2	X	X	X	X	X	X	X
R-3	X	X	X	X	X	X	X
R-3M	X	X	X	X	X	X	X
R-4M	X	X	X	X	X	X	X
R-4	X	X	X	X	X	X	X
R-MH-1	X	X	X	X		X	X

DISTRICT	PERMITTED ACCESSORY STRUCTURES AND USES						
	General Accessory Buildings (Subject to Section 59- 12200.2)	Fence (Subject to Section 59- 12200.3B)	Accessory Signs (Subject to Municipal Code, Chapter 3 and Section 59- 12200.3E) and 59- 12200.4C	Home Occupation (Subject to Section 59- 12200.3C)	Carport (Subject to Section 59- 12200.3A)	Swimming Pools (Subject to City Code Chapter 12)	Satellite Dishes Subject to Section 59- 12200.3D)
R-MH-2 ²	X	X	X	X		X	X
TN	X	X	X	X		X	X
O-1 ²	X		X			X	
O-2 ²	X	X ¹	X	X ¹		X	X ¹
RC						X	
NB	X	X ¹	X	X		X	X ¹
C-1 ²	X		X			X	
C-2 ²	X		X			X	
C-3 ²	X	X	X	X		X	X ¹
C-4 ²	X	X	X	X		X	X ¹
C-CBD ²	X	X	X	X		X	X ¹
C-HC ²	X	X	X			X	X ¹
DBD ²	X	X	X	X			
DTD-1 ²	X	X	X	X			
DTD-2 ²	X	X	X	X			
TP	X	X	X			X	
I-1 ²	X	X	X			X	
I-2 ²	X	X	X			X	
I-3 ²	X	X	X			X	
NC: Tract 1	X	X	X	X	X	X	X ¹

DISTRICT	PERMITTED ACCESSORY STRUCTURES AND USES						
	General Accessory Buildings (Subject to Section 59- 12200.2)	Fence (Subject to Section 59- 12200.3B)	Accessory Signs (Subject to Municipal Code, Chapter 3 and Section 59- 12200.3E) and 59- 12200.4C	Home Occupation (Subject to Section 59- 12200.3C)	Carport (Subject to Section 59- 12200.3A)	Swimming Pools (Subject to City Code Chapter 12)	Satellite Dishes Subject to Section 59- 12200.3D)
NC: Tract 2	X	X	X	X	X	X	X ¹
NC: Tract 3	X	X	X	X	X	X	X ¹
NC: Tract 4G	X	X	X	X		X	X ¹
NC: Tract 5	X	X	X	X		X	X ¹
BC	X	X	X			X	
SYD	X	X	X			X	
SYT			X			X	

FOOTNOTES: TABLE 12200.1

¹ For permitted residential.

² See Section 59-12200.4 for additional standards.

12200.2. Standards for Accessory Buildings.

- A. Accessory buildings shall be governed by the intensity of use provisions for the district in which they are located.
- B. No accessory buildings or structures shall be located within a required front, side or rear yard area unless otherwise permitted by this chapter. However, if an existing accessory building was legally constructed prior to December 9, 1947 with less side yard and/or less rear yard setback than is now required, a reconstruction or renovation of such accessory building shall be permitted, provided that such reconstruction or renovation takes place in the original location of the accessory building. Any addition to such accessory building, which constitutes an extension of the side wall, shall be permitted, provided that such addition shall not encroach upon the rear yard as herein required.

C. In the RA2, RA, R-1, R-1ZL, R-2, R-3, R-3M, R-4M, R-4, R-MH-1, and R-MH-2 Districts, and Tracts 1, 2 and 3 of NC District, detached accessory buildings shall meet the following criteria.

(1) *Lots Less than One-Half Acre.*

- (a) The maximum lot coverage of all detached accessory buildings shall not exceed 1,000 square feet.
- (b) No detached accessory building shall exceed the height of the primary structure on the same lot.
- (c) Detached accessory buildings with walls constructed of exterior metal finish shall not exceed ten feet in height as measured to the top of the side wall fascia.
- (d) Detached accessory buildings with walls constructed of exterior metal finish shall have wall panels and trim items finished with a baked-on paint finish.
- (e) All detached accessory buildings in excess of ten feet, measured from grade to the highest point of the structure, shall have a hip or gable roof with a minimum 4:12 pitch, and a minimum one foot overhang finished with soffit material except for buildings with a gambrel roof.
- (f) All detached accessory buildings shall be located behind the rear wall of the main structure on the property.
- (g) The maximum overhead door height shall not exceed nine feet, measured from grade to the top of the door opening.

(2) *Lots One-Half Acre and Greater, but Less than One and One-Half Acres.* Detached accessory buildings shall meet the regulations in Paragraph (1) above except:

- (a) The maximum lot coverage of all detached accessory buildings shall not exceed 1,250 square feet, or two and one-half percent of the size of the lot, whichever is greater.
- (b) All detached accessory buildings on one acre or greater shall observe a 25 foot side and rear yard building setback.
- (c) Detached accessory buildings with walls constructed of exterior metal finish shall not exceed 12 feet in height, measured to the top of the side wall fascia.
- (d) No detached accessory building shall exceed the height of the primary structure on the same lot.
- (e) Detached accessory buildings with walls constructed of exterior metal finish shall have wall panels and trim items finished with a baked on paint finish.
- (f) All detached accessory buildings in excess of ten feet, measured from grade to the highest point of the structure, shall have a hip or gable roof with a minimum 4:12 pitch, and guttering or trim material at the eave except for buildings with a gambrel roof.
- (g) All detached accessory buildings shall be located behind the rear wall of the main structure on the property.

(3) *Lots One and One-Half Acre and Greater, but Less than Three Acres.* Detached accessory buildings shall meet the regulations of Paragraph (1) above except:

- (a) The maximum lot coverage of all detached accessory buildings shall not exceed two and one-half percent of the size of the lot.
- (b) Detached accessory buildings with walls constructed of exterior metal finish shall not exceed 14 feet in height measured to the top of the side wall fascia.

-
- (c) Detached accessory buildings with walls constructed of exterior metal finish shall have wall panels and trim items finished with a baked-on paint finish.
 - (d) All detached accessory buildings in excess of ten feet, measured from grade to the highest point of the structure, shall have a hip or gable roof with a minimum 4:12 pitch, and guttering or trim material at the eave.
 - (e) All detached accessory buildings shall be located behind the rear wall of the main structure on the property.
 - (f) All detached accessory buildings in excess of ten feet, measured from grade to the highest point of the structure, shall have a hip or gable roof with a minimum 4:12 pitch, and guttering or trim material at the eave except for buildings with a gambrel roof.
- (4) *Lots Three Acres and Greater.*
- (a) The maximum lot coverage of all detached accessory buildings shall not exceed five percent of the size of the lot.
 - (b) All detached accessory buildings shall observe a 25-foot side and rear yard building setback.
- D. No accessory building shall be constructed upon a lot until the construction of the main building has actually commenced.
- E. No accessory building or structure shall be used unless the main building on the lot is also in use.
- F. In the R-1, R-1ZL, R-2, R-3, R-3M, R-4M, R-4, and R-MH-1 Districts, and Tracts 1, 2 and 3 of the NC District, accessory buildings not on a permanent foundation may extend into the required rear and side yard, but shall be located at least three feet from any side or rear property line.

12200.3. Standards for Accessory Structures and Uses.

Accessory use and structure regulations for the RA2, RA, R-1, R-1ZL, R-2, R-3, R-3M, R-4, R-4M and R-MH-1 Districts, as well as residential uses in the NC District, any portion of a PUD specifically allowing for residential use, and all permitted residential uses in non-residential districts are as follows.

- A. *Carports.* Carports are permitted to be added to an existing residential structure in the above specified districts subject to the following conditions and requirements:
- (1) Any person erecting or constructing a carport, in whole or in part, shall obtain a building permit. Application for a permit shall be made by the owner or lessee of the subject property, or agent of either, or by a licensed contractor employed in connection with the proposed work.
 - (2) A carport may be permitted: 1) on the side property line on an interior lot; 2) on a side property line on a corner lot line abutting a street; and 3) in subdivisions permitting zero lot line development, a carport may be permitted on the side property line.
 - (a) On the side property line on an interior lot;
 - (3) All carports shall be located only over an existing paved driveway.

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- (4) All carports shall be kept in an attractive state, in good repair, and in a safe and sanitary condition.
 - (5) All carports shall be constructed, erected or installed to conform with the structural requirements of Chapter 12, Buildings and Building Regulations, as amended, and shall have an architectural design and appearance compatible with the primary building on the property.
 - (6) No carport used in conjunction with a single-family or two-family dwelling shall exceed 12 feet in width for a single garage and/or driveway, and shall not exceed 24 feet in width for a double garage and/or driveway. Under no circumstance, shall any carport used in conjunction with a single-family or two-family dwelling exceed 24 feet in width. All width measurements shall be made from eave line to eave line. No more than one carport shall be permitted for each dwelling unit.
 - (7) All carports shall be permanently open on two sides from grade surface to eave line. All carports that extend into the required front yard setback shall be permanently open on three sides from grade surface to eave line.
 - (8) All carports shall comply with the front yard setback requirements of this chapter, provided carports used in conjunction with a single-family or two-family dwelling shall be permitted to extend into the required front yard setback area. No carport shall be permitted closer than five feet from the front property line. No carport shall violate the sight distance requirements of this chapter.
- B. *Fences.* Fences shall be permitted subject to the permit requirements of the Oklahoma City Municipal Code.
- (1) *Front Yard Fence.* A front yard fence shall be defined as a fence located within the required front yard setback area for all structures or in front of the front wall of the main building on the site. It shall be considered a structure and shall be subject to the regulation of structures in this chapter and Chapter 12, Buildings and Building Regulations. It shall be permitted subject to the following conditions and requirements:
 - (a) A permit fee in the amount established by ordinance shall be required.
 - (b) Regardless of the fence regulations contained herein, the property owner is advised that there may be more restrictive privately enforced regulations in the form of plat restrictions, declarations of covenants and restrictions relating to architectural controls, deed restrictions or platted setback lines that may further limit the construction of a fence on a parcel.
 - (c) The Staff shall review an application for a front yard fence and ensure that the conditions and requirements contained therein are satisfied before granting approval of said application. Prior to such approval, the Fire Department shall review and comment on the fence, if appropriate.
 - (d) The front yard fence shall be a decorative-type open fence that does not exceed four feet in height. Only chain-link, decorative ornamental metal, picket and split rail fencing shall be permitted.

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1. For wood picket fencing, the maximum width of the pickets shall be three and one-half inches and the minimum separation of the pickets shall be three and one-half inches.
 2. Decorative metal fences shall be made of ornamental metal pickets, galvanized steel, aluminum, or similar material having the appearance of decorative wrought iron and shall comply with the following:
 - i. Minimum separation of pickets shall not be less than two and one-half inches.
 - ii. Maximum picket width shall not exceed one inch square.
 - iii. Spiked caps or spears may not be used.
- (e) Site plans and elevations of the fence shall be submitted for permit review. The proposed fence shall not pose a safety or visibility hazard.
 - (f) Barbed, hog or chicken wire, or single-strand fencing shall not be used, except in the agricultural or industrial zoning districts.
 - (g) Staff may approve a retaining wall to address drainage or topographical problems.
 - (h) A front yard fence greater than 50 feet from a residence or structure shall be equipped with a gateway having at least 16 feet of clear width. The Fire Department must approve any gate and all locking devices installed in the gateway.
 - (i) No front yard fence shall be erected within 25 feet of the intersection of the right-of-way lines of any public or private street.
 - (j) A front yard fence, or a front yard fence with a hedge or similar natural vegetation, shall not cause a view obstruction for any private driveway and shall not in any case be erected within 12 feet of the intersection of any private driveway and the pavement edge or maintained portion of a public or private street.
 - (k) A front yard fence shall be kept in an attractive state, in good repair, and in a safe and sanitary condition at all times by the property owner.
 - (l) A front yard fence shall not obstruct any public walkway even if said public walkway is on private property.
 - (m) The fence shall be constructed with all braces and supports on the interior of the fence, except when both sides are of the same design and appearance.
 - (n) *Exception:*

Front yard fences on lots one acre and larger, developed for agricultural and/or residential use, shall meet all requirements for a front yard fence as provided in Section 12200.3.B(1) except as follows:

 1. The maximum height of the fence shall not exceed six feet.

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2. Decorative columns constructed of brick, rock or masonry, or similar material approved by the Director, shall be permitted not to exceed two and one-half feet in width and six and one-half feet in height. Said columns shall be separated a minimum of eight feet.
 3. Decorative entryways constructed of brick, rock or masonry, or similar material approved by the Director, shall be permitted. Said decorative entryway shall be located each side of the driveway and shall not exceed two and one-half feet in width, eight feet in height and 16 feet in length each. Gates associated with a decorative entryway shall not exceed eight feet in height.
 4. Arches and similar decorative elements that span across a driveway shall have a clearance above the ground of not less than 14 feet and an overall height of not more than 25 feet. The minimum parcel size for arches and similar decorative elements that span across a driveway shall be two acres.
- (2) *Side and Rear Yard Fence.* A side and rear yard fence shall be defined as a fence located within the side and rear yard as defined in Section 59-2150, "Yard, Rear" and "Yard, Side" and as shown in Figure 2000.7.
- (a) No such fence shall exceed eight feet in height in the Agricultural, Residential, Office and Commercial zoning districts or exceed ten feet in height in the Industrial zoning districts.
 - (b) No such fence shall be constructed of metal, plastic or plywood sheets. However, ribbed steel panel fencing may be used provided such fencing material meets the following minimum property standards:
 1. Ribbed steel panels shall have the following dimensions: Rib depth of one to one and one-half inches by a width of two and one-half to three and one-half inches, with six to 12 inches between rib centers.
 2. Ribbed steel panels must be properly primed and coated with a factory thermal set silicone polyester base finish.
 3. The fence shall be kept in an attractive state, in good repair, and in safe and sanitary condition at all times by the property owner.
 4. Ribbed steel panel fences shall not be permitted in the DBD, DTD-1, HP, or HP Districts.
 - (c) Barbed, hog or chicken wire, or single-strand fences shall not be used, except in the agricultural or industrial zoning districts.
- (3) *Subdivision Fence and/or Entryway Fence.* A subdivision fence and/or entryway fence shall be defined as a fence placed around the perimeter and/or entrance(s) of a residential subdivision, or any portion thereof. A subdivision fence and/or entryway fence shall comply with the following:
- (a) No such fence shall exceed eight feet in height, provided, however, that there shall be no height limit on the entryway.

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- (b) The fence shall be permitted to be placed upon a property line but shall not extend into the public right-of-way unless approved with a revocable permit.
 - (c) The fence shall not obstruct any public or private walkway.
 - (d) The fence shall not be erected within 25 feet of the intersection of the right-of-way lines of any public or private street.
 - (e) The fence shall not cause a view obstruction for any private driveway and shall not, in any case, be erected within 12 feet of the intersection of any private driveway and the pavement edge or a maintained portion of a public or private street.
 - (f) The subdivision name, street name or any other identification necessary for the subdivision may be placed upon the fence but must be in accordance with the regulations established for subdivision signs in Chapter 3 of the Oklahoma City Municipal Code. The provisions of Chapter 3, Section 3-83(a)(1) of the City Code shall not apply.
 - (g) No such fence shall be constructed of sheet metal or plywood sheets, and the fence shall be kept in an attractive state and in good repair.
 - (h) The fence shall be constructed with all braces and supports on the interior of the fence, except when both sides are of the same design and appearance.
 - (i) No fence permit shall be issued for any subdivision fence and/or entryway fence prior to the approval of a preliminary plat from the Planning Commission.
- (4) *BC District Standards.* Subject to the provisions of § 59-7150.1.E.(8) (Bricktown Core Development District) of this chapter.
 - (5) *SYD District Standards.* Subject to the provisions of Section 59-7350.1D(2)(a) (Stockyards City Development District) of this chapter.
 - (6) *DBD, DTD-1, DTD-2 District Standards.* Subject to the provisions of Section 59-7200.1F(8), Fencing (Downtown Design Districts) of this chapter.
- C. *Home Occupations.* Home occupations shall be permitted, subject to the following conditions:
- (1) It shall be the home occupation or professional office of a person who lives in the main building.
 - (2) No person shall be employed who is not a member of the immediate family living on the premises.
 - (3) No signs for home occupations are allowed.
 - (4) The home shall not be altered to attract business.
 - (5) No additional curb cuts shall be permitted, and no front yard area, other than the driveway providing access to a garage, shall be paved or otherwise altered or used for parking of vehicles.

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- (6) No business shall be conducted upon the premises where chattel, goods, wares or merchandise are created, stored, exchanged or sold, such as a shop or store.
 - (7) No material or equipment shall be stored outside the confines of the home.
 - (8) No mechanical equipment which creates a disturbance, such as noise, dust, odor or electrical disturbance, shall be used.
 - (9) *Artist Studio as Home Occupation in NC District.*
 - (a) An artist studio is the working place of a painter, sculptor, photographer, graphic artist, architect, landscape architect or fiber artist, with incidental sales of artwork.
 - (b) An artist studio shall be permitted as a home occupation in a residential district so long as:
 1. It shall be the studio of the person who lives on the premises.
 2. No more than two persons who are not members of the immediate family shall be employed on the premises.
 3. Signs shall be limited to one non-illuminated wood or metal plaque, no more than one square foot in size, attached to the wall of the building.
 4. No additional curb cuts shall be permitted, and no front yard area, other than the driveway providing access to a garage, shall be paved or otherwise altered or used for parking of vehicles.
 5. No artwork or other material or equipment shall be stored outside the confines of the home or accessory building.

- D. *Satellite Dish Antennas.* The appearance of satellite dishes and other satellite receiving antennas can create a blight on residential areas, reducing the value and desirability of surrounding property, inhibiting development by creating a negative visual image of the neighborhood, and generally damaging the aesthetic quality of life for the citizens of the City.

It is the intent of these regulations to mitigate the negative aesthetic impact of satellite dishes and other satellite-receiving antennas on residential areas, while not preventing reception of satellite-delivered signals by receive-only antennas and not imposing costs on users of such antennas that are excessive in light of the purchase and installation cost of the equipment.

Satellite-receiving antennas and dishes shall be permitted in the districts listed in Table 12200.1: Permitted Accessory Structures and Uses on lots of less than five acres, subject to the following conditions and requirements. In this section, the term "antenna" or "antennas" shall be deemed to include all electronic, assembly, mounting and supporting apparatus, except where reference is made to antenna diameter. "Satellite Dishes" do not include telecommunications facilities, which are regulated in the "Communication Services" portion of Article IX, Use Standards.

- (1) Such antennas shall be considered structures and shall be subject to the regulation of structures in this chapter and Chapter 12, Buildings and Building Regulations.

- (2) Such antennas shall be located completely behind the front building wall of the main structure on the lot, and completely behind any side building wall that faces toward a street.
- (3) Such antennas shall be mounted from the ground or placed on the roof, and the height of the antenna shall in no case exceed the height standard of the district.
- (4) Such antennas that are ground-mounted shall not exceed 15 feet in height measured from ground level, except that such antennas whose support pole is attached directly to, and extends no farther than one foot from, a rear building wall or eaves of the main structure on the lot may extend to a height not exceeding the height standard of the district, provided that no portion of the pole or mounting structure shall be visible from any portion of a street in front of the lot.
- (5) Such antennas that are mounted on the roof of any structure, except a multiple-family structure having five or more dwelling units, shall not be visible from any portion of a street in front of the lot.
- (6) Such antennas shall not exceed 12 feet in diameter.
- (7) Except where the support pole is attached to a rear building wall in the manner described above, a ground-mounted antenna shall not be placed closer to any lot line than its height or the required setback in the district, whichever is greater.

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12200.4. Additional District Standards for Accessory Uses.

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- E. *Limitations on Dumpsters, All Districts.* Roll-off containers, front-end loader containers, rear-end loader containers, dumpsters and similar trash receptacles with a cumulative volume of two cubic yards or more (hereafter "dumpsters") shall be located behind the front wall of the primary structure, and shall be subject to the following restrictions:
1. If a structure is under construction or being demolished, and has a current building permit, trash receptacles may be located to the front of the primary structure, provided all dumpsters so located are removed at the completion of construction or demolition.
 2. All dumpsters shall be screened from view from the right-of-way of any public or private street, and from any adjacent residential zone or use.
 3. Dumpsters shall be screened to a height sufficient to shield dumpster from sight on three sides by using a single opaque material wall or fence, or by using a combination of opaque materials, berming, and/or evergreen landscaping that provides the required screening effect and on the fourth side screened by a solid gate of height sufficient to shield dumpster from sight. The gate shall remain closed

except when trash pick-ups occur. Dumpsters may also be screened by the wall(s) of a principal or accessory structure. Chain-link fencing with woven slats of opaque material is not acceptable for screening dumpsters.

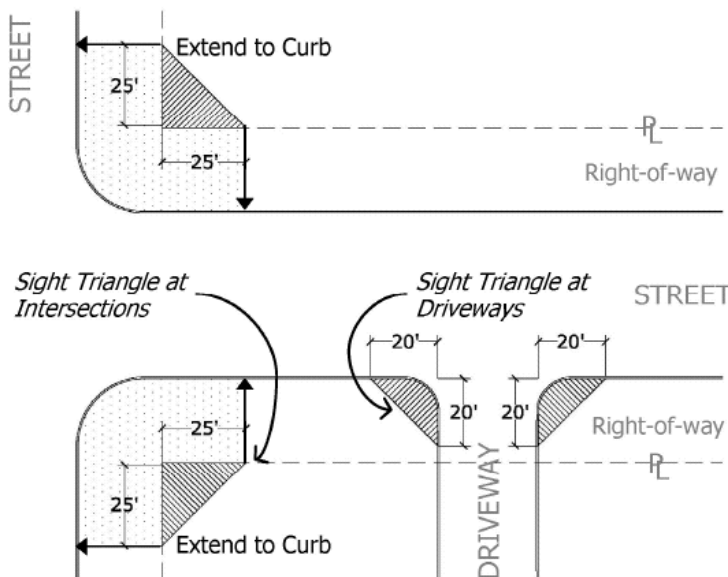
4. All dumpster enclosures shall be located a minimum of 25 feet from a property line adjacent to any residential zone or use.
5. Screening of a dumpster shall not be required in the I-3 District, unless the dumpster is located within 100 feet of an existing residential land use.

(Ord. No. 23755, § 9, 12-2-08; Ord. No. 24009, § 10, 2-2-10; Ord. No. 24128, § 5, 8-31-10; Ord. No. 24609, § 7, 2-19-13; Ord. No. 24726, § 9, 8-13-13; Ord. No. [25370](#), § 1, 4-19-16; Ord. No. [25434](#), § 6, 8-16-16)

59-12300. Sight distance triangle requirements.

- A. No wall, fence, sign, or other structure or plant growth that obstructs vision shall be placed or maintained on a permanent or temporary basis within the sight triangle. The sight triangle area shall not be obstructed by any sign, wall, fence, hedge, shrubbery or other object which exceeds two feet in height. In the event that the grade of a lot is higher than the street grade, the height of the wall, fence, hedge or shrubbery shall be reduced so that the visual clearance is not obstructed two feet over the grade of the street. The sight distance triangle is illustrated in Figure 12300.1 below.

FIGURE 12300.1 SIGHT DISTANCE TRIANGLE



- (1) *Exceptions.* Where the Public Works Director determines the encroachment will not create a traffic hazard, Bricktown Core Development District (BC), Downtown Business District (DBD), Downtown Transitional District, Limited (DTD-1), Downtown Transitional District, General (DTD-2), Stockyards City Development District (SYD), and Urban Design Overlay District (UD) are exempt from the Sight Distance Triangle Requirements.

(Ord. No. 23755, § 9, 12-2-08; Ord. No. 24009, § 10, 2-2-10)

ARTICLE XIII. ZONING OVERLAY DISTRICTS

§ 59-13100. General provisions.

This Article establishes specific regulations of limited application within the City, that assure additional consideration for areas of special interest or value.

- A. *Purpose and Intent.* The purpose of this article is to:
- (1) Provide a framework for enabling legislation to aid in the creation of special regulations.
 - (2) Provide a categorization of all special regulations, which may be adopted as a result of the enabling legislation.
 - (3) Provide guidelines for the application of all special regulations created to assure conformity with the objectives of good planning and zoning practice.
- B. *Application.* Special regulations may be adopted within this article and applied to designated areas of the City when the Planning Commission and City Council find conditions or purposes within said areas merit special consideration in order to protect the health, safety and general welfare.
- C. *Special Regulations Established.* The following special regulations are hereby established. Any special district adopted as a result of authorization by way of these regulations shall be codified.

Section Special Area Regulations

59-13150 Airport Zoning Overlay Districts

59-13250 Classen Boulevard Overlay District

59-13300 Historic Landmark Overlay

59-13350 Manufactured Home Overlay District

59-13400 Parking Overlay District

59-13450 Scenic River Overlay District

59-13500 Scenic River Overlay Design Districts

59-13550 Stockyards City Transitional Development Districts

59-13600 Twenty-Third Street Uptown Corridor Overlay District

59-13650 Urban Conservation Districts

59-13700 Urban Design Districts

D. *Modification to Special Regulations.* Modifications or changes to the special regulations shall be subject to the provisions of the amendment procedure for this chapter contained in Article IV, Administrative Procedures.

([Ord. No. 25972, § 7, 7-31-18](#))

§59-13300 HL HISTORIC LANDMARK OVERLAY DISTRICT

The Historic Landmark Overlay District (HL Overlay District) and its regulations may be applied to property located in any other zoning district, whether agricultural, residential, commercial or industrial in accordance with the provisions of the Historic Preservation Ordinance. The HL Overlay District is intended as an overlay zoning district and the regulations imposed by such district shall be in addition to the regulations of the underlying zoning district applicable to the subject parcel. All provisions of the Historic Preservation Ordinance, including the definitions contained therein, but not including the regulations of the HP District, shall be applicable to this district.

13300.1. District Identification. Tracts, buildings or sites designated by the City Council as being within the HL Overlay District shall be identified on the Official Zoning Districts Map of the City, and in other official writings, by the suffix "HL."

13300.2. Qualifier. Except for the provisions specifically contained in this section, all other provisions of this chapter shall apply to, and have full force upon, the properties contained in the HL Overlay District. If a conflict exists between the regulations of the underlying zoning district and the HL Overlay District, the regulations of the HL Overlay District shall prevail.

13300.3. Certificate of Appropriateness Required. A Certificate of Appropriateness shall be required prior to the commencement of work upon any structure or site located within a Historic Landmark Overlay District, and shall be subject to Chapter 59-7250.4.C. Certificate of Appropriateness Required, Chapter 59-7250.4.D. Development Regulations, and Chapter 59-7250.4.E. Ordinary Maintenance and Repair.

(Ord. No. 24498, § 3, 7-31-12; [Ord. No. 24902, § 4, 6-10-14](#))

APPENDIX A

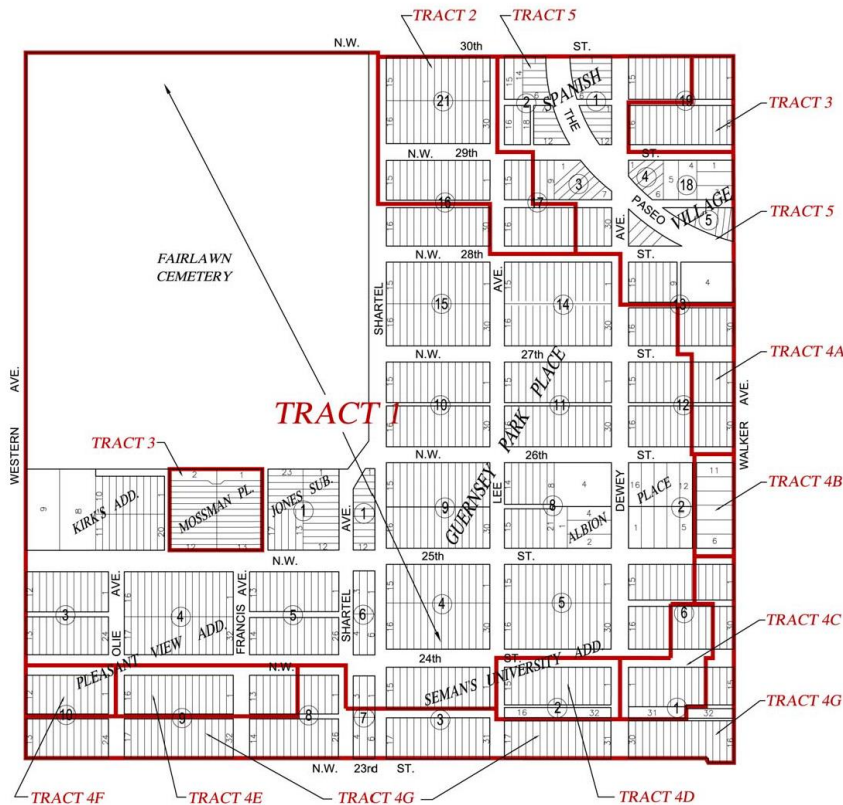
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5. Neighborhood Conservation District.

The following properties shall have the Neighborhood Conservation District zoning classification: Blocks 1—6 and Lots 1—5 of Block 7 and all 8—10, Pleasant View Addition; Kirk's Subdivision of Pleasant View Addition; Mossman Place Subdivision; Jones Subdivision of Pleasant View; Blocks 1—21, Guernsey Park Place Addition; Spanish Village Addition; Blocks 1—2 and Lots 1—15 of Block 3 of Seman's University Addition; Blocks 1—2 of Albion Place Addition; and an unplatted parcel, referred to as Unplatted Parcel #1, in the southwest quarter of Section 21, Township 12N, Range 3 West, and defined as follows: beginning at the northeast corner of the southwest quarter of Section 21 and then due west approximately 1,350 feet, then due south approximately 1,520 feet, then due west approximately 1,320 feet, then due north approximately 1,520 feet, then due east approximately 1,320 feet to the point of beginning.

The district is divided into tracts, the boundaries of which are provided below and shown in the following map.

Neighborhood Conservation Zoning Tracts



A. Tract 1.

Block 4, Block 5, Lots 6—21 of Block 6; Blocks 8—11, Lots 9—24 of Block 12, Lots 16—24 of Block 13; Blocks 14—15, Lots 16—30 of Block 16 of Guernsey Park Place Addition; Block 1 and Lots 1—5 and 12—16 of Block 2 of Albion Place Addition; Kirk's Subdivision of Pleasant View Addition; Jones Subdivision of Pleasant View Addition, Blocks 1—6 and Lots 1—3 of Block 7 of Pleasant View Addition, Lots 1—15 of Block 3 of Seman's University Addition, and the unplatted parcel #1, defined above.

B. Tract 2.

Block 21, Lots 1—15 of Block 16, Lots 12—25 of Block 17 of Guernsey Park Place Addition.

C. Tract 3.

Mossman Place Subdivision, Lots 1—7 and 16—30 of Block 19 of Guernsey Park Place Addition.

**D. Tract 4. 4.
Tract 4A.**

Lots 25—30 of Block 13, Lots 1—8 and 25—30 of Block 12 of Guernsey Park Place Addition.

Tract 4B.

Lots 6—11 of Block 2 of Albion Place Addition.

Tract 4C.

Lots 22—27 of Block 6 and Lots 1—11 and Lot 31 of Block 1 of Guernsey Park Place Addition.

Tract 4D.

Lots 1—16 and Lot 32 of Block 2 of Seman's University Addition.

Tract 4E.

West ½ of Lot 7 and Lots 8—13 of Block 8 and 1—16 of Block 9 of Pleasant View Addition.

Tract 4F.

Lots 1—12 of Block 10 of Pleasant View Addition.

Tract 4G.

Lots 1—5 and 28—30 of Block 6 of Guernsey Park Place Addition, and Lots 12—30 and 32 of Block 1 of Guernsey Park Place, and Lots 17—31 of Block 2 of Seman's University Addition, and Lots 27—31 of Block 3 of Seman's University Addition, and

Lots 4—5 of Block 7 of Pleasant View Addition, and Lots 1—6 and the east ½ of Lot 7 and Lots 14—26 of Block 8 of Pleasant View Addition, and Lots 17—32 of Block 9 of Pleasant View Addition, and Lots 13—24 of Block 10 of Pleasant View Addition.

E. Tract 5.

Blocks 1—6 of Spanish Village Addition, and Lots 8—15 of Block 19 of Guernsey Park Place Addition, and Block 18 of Guernsey Park Place Addition, and Lots 8—11, Lots 26—30 plus a 20-foot alley adjacent to Lot 9 on the east of Block 17 of Guernsey Park Place Addition, Lots 4—15 of Block 13 of Guernsey Park Place Addition, and Block 20 of Guernsey Park Place Addition.

(Ord. No. 23993, § 4, 12-8-09; Ord. No. 24726, § 11, 8-13-13)

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9. Urban Conservation Districts.

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- F. *Mesta Park Urban Conservation District.* The Mesta Park Urban Conservation District is generally located from one-half block south of NW 16th Street to one-half block north of NW 22nd Street, and from North Walker Avenue to North Western Avenue; plus both sides of NW 22nd Street between North Robinson Avenue and North Walker Avenue. It shall include all of the following described property: Lots 17—32 of Block 1, Lots 17—32 of Block 2, Lots 18—34 of Block 3, Lots 14—26 of Block 4, Lots 17—32 of Block 5, Lots 13—24 of Block 6, Blocks 23—34, Blocks 43—54, Blocks 63—74 of University Addition; Lots 1—5 of Block 1, Lots 1—5 of Block 2, Lots 1—4 of Block 3 of Classen's West Highland Park Addition; Lots 71—87 of Harndale Addition; Lots 8—14 of Block 1, Lots 8—14 of Block 2, Lots 1—7 of Block 3, and Lots 1—7 of Block 4 of Winans Highland Terrace Addition.
- G. *Heritage Hills East Urban Conservation District.* The Heritage Hills East Urban Conservation District is generally located from Northwest 14th Street to one-half block north of Northwest 22nd Street, and from North Broadway Avenue to North Robinson Avenue. It is contained within the following described boundaries, which are also shown by the map attached to this Ordinance No. 17225, and made a part thereof: NORTH: along the north property line of Lots 12 through 17 and Lot 4 of Block 13 in Winans Highland Terrace Addition between Robinson and Broadway Avenues; EAST: starting at the centerline of Broadway Avenue adjacent to the northeast corner of Lot 4, Block 13 of Winans Highland Terrace Addition, and proceeding south along said centerline until Broadway branches at Winans Park, whereupon the district boundary shall follow the centerline of the northbound lane of Broadway surrounding the park, until the two lanes converge at NW 20th Street, whereupon the boundary once again follows south along the centerline of Broadway until NW 14th Street; SOUTH: along the centerline of NW 14th Street, between Broadway and Robinson; WEST: along the centerline of Robinson Avenue between NW 14th Street adjacent to the northwest corner of Lot 12, Block 13 of Winans Highland Terrace Addition.

Included within the aforementioned boundaries are the following subdivisions and unplatted land: The southern 25 feet of Lots 4, 5, and 12 through 17 of Block 13, Lots 1 through 18 of Block 14, Lots 1 through 18 of Block 15, Lots 1 through 12 of Block 16 of Winans Highland Terrace Addition; Winans Park; Lots 4 through 6 and Lots 13 through 19 of Block 16, Lots 1 through 2A and 6 through 11A of Block 1 of Nichols and Chandlers Addition; Lots 3 through 5 and 12 through 17 of Block 1, Lots 1 through 17 of Block 2, Lots 1 through 17 of Block 3 of Winans Highland Terrace Addition, all of Overholser and Aveys Addition including an unplatted parcel starting at the northwest corner of Lot 5 in Weavers Addition, south 400 feet, west 430.3 feet, north 50 feet, east 300.3 feet, north 350 feet, and east 130 feet back to the point of origin; all of Weavers Addition; and all of Fays Addition.

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- H. *Jefferson Park Urban Conservation District.* The Jefferson Park Urban Conservation District is generally located from Centennial Expressway to North Walker Avenue, and one-half block north of Northwest 23rd Street to Northwest 30th Street. It shall include all of the following described property: Lots 8—17 of Block 1, Lots 1—3 and Lots 11—14 of Block 2, Lots 1—8 of Block 3, Lots 1—3 and Lots 15—22 of Block 4, Blocks 5—8, Lots 9—23 of Block 9, Blocks 10—14, Lots 9—22 of Block 16, Blocks 19, 20, 25 of Jefferson Park Addition; Blocks 15, 17, 18, 21, 22, 23, 24 and part of 10 and 14 of the amended plat of Jefferson Park; Lots 7—20 of Block 26, Lots 8—21 of Block 27, Lots 9—22 of Block 28 of Jefferson Park Second Addition.

* * *

(Ord. No. 23755, § 10, 12-2-08; [Ord. No. 26033, § 5, 10-9-18](#))