

(Published in the Journal Record August 15, 2012)

Ordinance No. 24,517 _____

ORDINANCE RELATING TO ZONING AND PLANNING, AMENDING THE OKLAHOMA CITY MUNICIPAL CODE, 2010, CHAPTER 59, ARTICLE XIII, SECTION 59-13200.5D.(3)(a), AUTHORIZING CERTAIN WAIVER TO THE LOCATION REQUIREMENTS OF ABC-3 USES, AMENDING SECTION 59-13200.5D.(3)(b) BY AMENDING THE METHOD OF DETERMINING THE REQUIRED DISTANCE AND AMENDING SECTION 59-13200.5E PERTAINING TO WRITTEN NOTICE OF PUBLIC HEARINGS.

ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION 1. That Section 59-13200.5D and Section 59-13200.5E in Article XIII, of Chapter 59 of the Oklahoma City Municipal Code, 2010, are hereby amended to read as follows:

CHAPTER 59

ZONING AND PLANNING CODE

ARTICLE XIII. ZONING OVERLAY DISTRICTS

§ 59-13200. ALCOHOLIC BEVERAGE CONSUMPTION OVERLAY DISTRICTS (ABC)

13200.5 ABC-3 Alcoholic Beverage Consumption, Club-With-Alcohol District

D. Development Regulations

3. Location Requirements

- (a)** No ABC-3 use shall be allowed to locate within 300 feet of any church property primarily and regularly used for worship services and religious activities, licensed day care center, or any public or private school of the

type which offers a compulsory education curriculum; however, a college or university located within an improvement district created pursuant to Section 39-103.1 of Title 11 of the Oklahoma Statutes may waive the 300-foot requirement pursuant to 37 O.S. 2011, Section 163.27 and/or Section 518.3, or any licensed day care center. Nor shall any ABC-3 use be allowed to locate within 300 feet of any area zoned for residential use.

- (b) All distances required to be met, pursuant to the terms of this section, shall begin the measurement from the nearest property line of the public or private school, church, day care center or residentially zoned area to the nearest perimeter wall ~~public entrance~~ of the location by direct route.

E. Notification Requirements

Applications for rezoning to the ABC-3 District shall be accompanied by a list of all owners of property within 600 feet of the legally subdivided property upon which the rezoning site is situated. In addition, the 600 foot radius shall be extended by increments of 100 lineal feet until the list contains a minimum of ~~(15)~~ 10 individual property owners of ~~(15)~~ 10 separate parcels, ~~or until a maximum radius of 1,000 feet has been reached.~~

INTRODUCED AND READ in open meeting of the Council of The City of Oklahoma

City the 3 _____ day of _____ July _____, 2012.

ADOPTED by the Council and signed by the Mayor of The City of Oklahoma City the

__14th__ day of _____ August _____, 2012.

ATTEST:

Frances Kersey
City Clerk

s/b Mick Cornett
MAYOR