

(Published in the Journal Record 20th day of February, 2013)

ORDINANCE NO. 24,609

AN ORDINANCE RELATING TO ZONING AND PLANNING CODE, AMENDING CHAPTER 59, OF THE OKLAHOMA CITY MUNICIPAL CODE, 2010, ARTICLE II, SECTION 2150.2 MODIFYING GENERAL DEFINITION FOR MASONRY MATERIALS; ARTICLE III, SECTION 3250.4, CHANGING NOTICING DATE TO PROPERTY OWNERS AND REVISING APPEAL PROCESS FOR ADMINISTRATIVE APPROVAL; ARTICLE IV, SECTION 4250.3, EXTENDING EXPIRATION DATES FOR CERTIFICATES OF APPROVAL FOR TEMPORARY SIGNS – LARGE DISPLAY BANNERS AND SUPERGRAPHICS, REFERENCING FORMS MAINTAINED IN PLANNING DEPARTMENT FOR SUBMITTAL REQUIREMENTS, CLARIFYING THE PROCESS FOR GRANTING CONTINUANCES, RELOCATING THE EXTENSION PROCESS REQUIREMENTS SECTION, AND ADDING AN OPTIONAL PRELIMINARY REVIEW PROCEDURE; ARTICLE VII, SECTIONS 7200.1, 7200.2, 7200.3 REVISING INTENT STATEMENT, REORGANIZING THE STRUCTURE OF THE CERTIFICATE OF APPROVAL PROCESS, ALLOWING ADDITIONAL ADMINISTRATIVE APPROVALS, MODIFYING DEVELOPMENT REGULATIONS, ADDING REGULATIONS FOR FENCING, MODIFYING BUILDING MATERIALS AND BUILDING DESIGN, REVISING AND REORGANIZING GUIDELINES, ESTABLISHING AN INTENT STATEMENT FOR PARKS AND OPEN AREAS, AND MODIFYING THE SETBACKS FOR RESIDENTIAL STRUCTURES; ARTICLE VIII, SECTION 8500.2 ALLOWING TEMPORARY CONSTRUCTION STAGING AREAS, OFF-SITE WITHIN THE DOWNTOWN TRANSITIONAL DISTRICT, LIMITED (DTD-1); ARTICLE IX, SECTION 9350.47 ESTABLISHING CONDITIONS FOR OUTDOOR SALES AND DISPLAY WITHIN THE DBD, DTD-1, AND DTD-2 DESIGN DISTRICTS; ARTICLE XII, SECTION 12200.3 REVISING REGULATIONS FOR FENCES AND REFERENCING STANDARDS FOR DBD, DTD-1, DTD-2 DISTRICTS.

ORDINANCE

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

SECTION 1. Chapter 59, Article II, Section 2150.2 of the Oklahoma City Municipal

Code 2010, is hereby amended to read as follows:

Chapter 59

ZONING AND PLANNING CODE

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ARTICLE II. DEFINITIONS.

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§59-2150. Definitions.

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2150.2 General Definitions.

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Masonry Materials: Stone, brick, clay units, terra cotta, architectural pre-cast concrete, cast stone, ~~and~~ prefabricated brick panels, cast-in-place concrete with cladding, split face concrete masonry block (units), and stucco. ~~Not included in this definition are: east-in-place concrete,~~ Masonry Materials do not include unclad concrete masonry block (CMU units), and EIFS (Exterior Insulated Finish System) tile.

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SECTION 2. That Chapter 59, Article III, Section 3250.4 of the Oklahoma City Municipal Code 2010, is hereby amended to read as follows:

ARTICLE III. ADMINISTRATIVE BODIES AND OFFICIALS

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§59-3250. DOWNTOWN DESIGN REVIEW COMMITTEE.

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3250.4. Meetings and Procedures.

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C. Public Hearing and Notice Requirements.

In order to encourage citizen participation and assure that all interested and affected parties shall be heard, notice of public hearings regarding action taken by the Downtown Design Review Committee shall be given as specified by the following:

(1) Notice by Mail.

Hearing notices of Downtown Design Review Committee meetings shall be sent at least ~~five (5)~~ six business days prior to such hearing by mailing written notice to all owners of property within a ~~one-hundred-fifty~~ 150-foot radius of the exterior boundary of the subject property. Such notice by regular mail shall be the responsibility of the Staff.

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F. Appeal.

Any person aggrieved by any decision of the Staff or the Downtown Design Committee in granting or denying a Certificate of Approval may appeal said decision to the Board of Adjustment, who may affirm, reverse or modify the decision of the Committee or staff. The appeal shall be filed in accordance with the provisions of Section 59-4250.10, Appeals.

No Certificate of Approval granted by the Downtown Design Committee or staff shall become effective until the expiration of the appeal period.

SECTION 3. That Chapter 59, Article IV, Section 4250.3 of the Oklahoma City Municipal Code 2010, is hereby amended to read as follows:

ARTICLE IV. ADMINISTRATIVE PROCEDURES.

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§59-4250. DISCRETIONARY REVIEW PROCEDURES.

4250.3. Downtown Design Review.

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B. Expirations for Certificates of Approval.

Any Certificate of Approval granted by the Downtown Design Review Committee or Staff shall expire two years from date of issuance ~~except for Temporary Signs Large Display Banners and Supergraphics; Projection Image Signs; and Temporary Construction Staging Areas, Off-site, which shall expire six weeks from date of issuance.~~

~~(1) Extensions:~~

- ~~(a) If construction has commenced, the Downtown Design Review Committee or Staff may grant a two-year extension prior to the expiration date of the Certificate of Approval.~~
- ~~(b) Extensions shall not be granted if there are additions, revisions, or deletions of any element of the project.~~
- ~~(c) Extensions shall not be granted for Temporary Signs Large Display Banners and Supergraphics; Projection Image Signs; and Temporary Construction Staging Areas, Off Site.~~
- ~~(d) Only four extensions may be granted before a new review process is required, including application, attachments, and fee.~~

(1) Exceptions:

- (a) Temporary Signs - Large Display Banners and Supergraphics shall expire six weeks from the date of issuance or one week following the end of the special event referenced by the signage.

(b) Projection Image Signs shall expire six weeks from date of issuance or one week following the end of an event related to the signage.

(c) Temporary Construction Staging Areas, Off-Site shall expire one week after completion of the construction project related to the Certificate of Approval.

C. Committee Recommendations and Review.

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(4) The Downtown Design Review Committee may adopt ~~a set of~~ additional design guidelines, policies and procedures to aid in their design review responsibilities. Said guidelines and policies may supplement the design ~~criteria~~ guidelines established in this section, but not contradict ~~it~~ them.

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D. Submission for Design Review.

Sufficient information and detail shall be submitted to staff of the Downtown Design Review Committee to fully evaluate relevant design issues. Minimum required drawings and documentation are listed on submittal forms available from the Oklahoma City Planning Department. On projects of smaller scale or complexity, Staff may waive the submission of some of the required drawings and/or details. ~~The following is required at the time of submission for design review, in addition to any requests for special considerations, such as a phasing diagram:~~

(1) ~~Site Plan.~~

~~Applicant shall provide two sets of plans; one full size, and one reduced size of 11" x 17".~~

~~(a) Building placement and orientation of immediately adjacent or adjoining structures within fifty feet of street frontage, drawn to an appropriate engineer or architectural scale with the north arrow and drawing scale noted on plans.~~

- ~~(b) Existing setbacks of adjacent and/or adjoining structures on the same side of the street within the same block.~~
- ~~(c) Clearly defined property lines, street rights-of-way, and centerline(s) of frontage street(s).~~
- ~~(d) Front yard setback/build-to line of proposed project.~~
- ~~(e) Building placement and orientation for all proposed and existing structures within the project site, including dumpsters and commercial waste receptacles.~~
- ~~(f) Fences and screening.~~
- ~~(g) Parking lot layout.~~
- ~~(h) Streetscape elements, including existing and proposed landscaping, furnishings and fixtures.~~

~~(2) Landscape Plan (Where Applicable).~~

~~Plant materials, specifying quantity, species, and size (caliper, height or container).~~

~~(3) Building Elevations.~~

- ~~(a) Dimensioned heights and widths of structure and architectural elements.~~
- ~~(b) Identification of building materials, indicating compatibility and connection to adjoining structure(s), where applicable.~~

~~(4) Additional Details~~

- ~~(a) Streetscape furnishings, fixtures, and paving patterns and materials.~~
- ~~(b) Entryway doors, sidelights and architectural detailing of courtyard elements, where proposed, such as planters, permanent seating, furnishings, paving patterns and materials.~~

- ~~(c) When proposing signs, applicant shall provide illustrations showing dimensions, color, method of installation, and method of illumination if applicable.~~
- ~~(d) When proposing replacement of windows, applicant shall provide architectural drawings and/or photos of existing windows to be replaced and the proposed windows.~~

E. Continuances.

No continuances to cases under review shall be granted where no forward progress has been demonstrated ~~on a~~ case for a period of six continuous months. In that event, the case shall be deemed withdrawn and resubmittal of the project shall be required.

F. Extensions to Existing Certificates of Approval.

- (1) If construction has commenced, the Downtown Design Review Committee or staff may grant a two-year extension prior to the expiration date of the Certificate of Approval.
- (2) Extensions shall not be granted if there are any additions, revisions, or deletions of any element of the project.
- (3) A maximum of four extensions shall be granted before a new submittal is required including application, attachments, and fee.
- (4) No extensions may be granted for Temporary Signs – Large Display Banners and Supergraphics.

G. Preliminary Review.

In order to facilitate the timely approval of projects applicants are encouraged to request a preliminary review by staff prior to formal submittal. Preliminary review is most effective at the conceptual design phase, so that siting, building material and design, and other contextual impacts of the proposal may be considered for conformance with the regulations and guidelines of the Downtown Design District ordinance.

- (1) Based on the scale or significance of the project, staff may recommend that the project be presented

to the Committee for preliminary comments prior to submittal of the application.

- (2) Preliminary review should be scheduled a minimum of six weeks prior to anticipated date of formal submittal to allow for revisions.

SECTION 4. That Chapter 59, Article VII, Sections 7200.1, 7200.2, and 7200.3 of the Oklahoma City Municipal Code 2010, are hereby amended to read as follows:

ARTICLE VII. SPECIAL PURPOSE DISTRICTS

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§59-7200. DOWNTOWN DESIGN DISTRICTS.

7200.1 Downtown Design Districts (DBD, DTD-1, DTD-2).

A. Purpose and Intent.

This commercial district is intended ~~for the conduct of all~~ to support diverse forms of business and residential activity, including mixed-uses in a single building, within the central area of the City. Development regulations and guidelines in this district are intended to:

- (1) promote the development and redevelopment of the downtown area in a manner consistent with the unique and diverse design elements and urban character of the -Downtown districts;
- (2) ensure that a proposed use is compatible with the commercial, cultural, historic, and governmental significance of the Downtown districts;
- (3) promote the Downtown area as a vital mixed-use area;
- (4) create a network of pleasant, safe, and connected public spaces and pedestrian amenities in the downtown area, ~~and~~;
- (5) preserve and restore historic resources, and circulation patterns of the downtown districts; and
- (6) encourage appropriate and complementary transitions between each of the downtown districts

and between those districts and the surrounding zoning districts.

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C. Certificate of Approval Required.

- (1) A Downtown design review Certificate of Approval is required for all projects, public and private, located in the DBD, DTD-1, and DTD-2 Districts.
 - (a) Exception. A Certificate of Approval shall not be required for Ordinary Maintenance and Repair that involves no change in materials, dimensions, design, configuration, texture, surface coating, or visual appearance for work meant to remedy damage or deterioration of site elements, structures, or their appurtenances.
 - (b) A Certificate of Approval shall not be required for A-frame, sandwich or springer signs.
- (2) The Downtown Design Review Committee shall review and issue Certificates of Approval for the following unless administrative approval is permitted as referenced in this section:
 - (a) ~~Buildings twenty thousand gross square feet or more and associated site development involving new construction, expansion, remodeling of the exterior of structures for which a building permit is required, and exterior modifications, including the replacement of windows and the addition or removal of building materials from building facades.~~ New construction, additions, or exterior modifications to an existing structure and the associated sites.
 - (b) Demolition of a structure or site and site elements totaling twenty thousand gross square feet or more, except structures ~~that the City Council has~~ declared dilapidated and approved for demolition by City Council.

(c) Signage, including: Electronic Message Display (EMD) signs greater than 25 square feet.

~~1. Electronic Message Display (EMD) signs greater than 25 square feet; and~~

~~2. Temporary Signs – Large Display Banners and Supergraphics 100 square feet or greater; and~~

~~3. All other signs 100 square feet or greater, including any Projection Image Sign.~~

* * *

(3) Staff may review and issue Certificates of Approval for the following:

(a) ~~Buildings less than 20,000 gross square feet and associated site development involving new construction, expansion, remodeling of the exterior of structures for which a building permit is required, and exterior modifications, including the replacement of windows and the addition or removal of building materials from building facades.~~ New construction, expansion, and exterior modifications of structures less than 20,000 square feet and the associated sites.

(b) New parking lots and expansions of existing parking lots.

(c) Demolition of site elements or of a structure less than 20,000 gross square feet, except structures ~~that the City Council has declared dilapidated and approved for demolition by~~ City Council.

(d) Signage, including:

1. ~~Electronic~~ Electronic Message Display Signs 25 square feet or less; and

Temporary Signs – Large Display Banners and Supergraphics 100 square feet or greater; and

23. All other signs less than 100 square feet.
- (e) ~~Site modifications for both public and private projects including, but not limited to the installation of streetscape elements (as referenced in §59-7200.1.G.(5)), fencing, dumpster enclosures, monuments, or landmarks. Expansions and exterior modifications to structures and their associated sites over 20,000 square feet impacting less than 20 percent of the structure or site.~~
- (f) Minor City projects and ~~public~~ private improvements including, but not limited to: installation of streetscape elements, fencing, dumpster enclosures, monuments, or landmarks associated with sites less than 20,000 square feet.
1. ~~Installation of streetscape elements (as referenced in §59-7200.1.G.(5)) within the Pedestrian Zone contained within an area less than one block in length,~~
2. ~~Exterior modifications or expansions to structures totaling less than 20,000 square feet,~~
3. ~~Installation or expansion to of surface parking lots not submitted as part of a development project requiring approval from the Downtown Design Review Committee.~~
- (g) Submittals for extensions to unexpired Certificates of Approval.
- (h) Temporary Construction Staging Areas – Off-Site.
- (i) The application of paint to a previously unpainted brick or masonry exterior surface of a structure under 20,000 square feet.

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F. Development Regulations.

Table 7200.2 establishes yard and bulk regulations for the Downtown Design Districts.

(1) Exceptions.

(a) Height.

1. ~~The Downtown Design Review Committee or staff may modify the required minimum building height to a lesser number of stories pursuant to redevelopment goals and objectives of the Downtown Oklahoma City Strategic Action Plan 2010.~~Expansions to existing structures.
2. The following use units are exempt from the minimum height regulations: Automotive and Equipment: Automobile Dealerships and Malls (59-8300.18), Food or Beverage Retail Sales (59-8300.41), or Gasoline Sales, Small: Restricted (59-8300.46).
3. Accessory buildings located behind the front plane of the existing primary structure.
4. Canopies, and awnings, pergolas, and kiosks.

(b) Setbacks and/or Build-To Lines.

1. Automotive and Equipment: Automobile Dealerships and Malls (59-8300.18).
2. Gasoline Sales, Small: Restricted: (59-8300.46).
3. Food and Beverage Sales (59-8300.41) and Retail Sales and Services: General (59-8300.63).

- i. Where on-site surface parking to the side or rear is being provided for buildings at least 30,000 square feet or larger, ~~the following shall apply:~~the building line may be set back to accommodate a drop-off/pickup lane no wider than 22 feet along the street frontage between the property line and the building face provided that sufficient pedestrian access is also provided.

~~* the building line may be set back to accommodate the placement of no more than 25% of the total parking spaces, which may be located in front of the building, or along either street face of buildings on a corner lot;~~

~~* the portion of the building adjacent to such parking shall be set back to the minimum extent required by the parking and maneuvering standards of this chapter.~~

4. In the DTD-1 and DTD-2 Districts, the front yard setback, or front and side yard setbacks for corner lots of ~~For~~ new Single Family Residential (59-8200.14) and Two Family Residential (59-8200.16) construction shall be a maximum of 20 feet, ~~the front yard setback, or front and side yard setbacks for corner lots, shall be within the range of building setbacks on the same side of the street on the same block. The setbacks shall be measured from the plane of any structural element closest to the right of way, including~~

~~enclosed entries and covered porches of either of the first two levels of the building(s).~~

~~5. The first two floors of new construction shall be built to or within ten feet of the street right of way.~~

~~6. For new construction, no less than 60 percent of the building shall be maintained on the primary street frontage property line to allow entryways, plazas, or similar design features.~~

~~7. Where any setback from the build to line is not a hardscaped plaza or entryway, a landscaped area shall be installed.~~

85. Expansions to existing buildings.

96. Accessory buildings and secondary buildings where an existing primary structure occupies the street frontage(s).

107. Canopies, and awnings, pergolas, and kiosks.

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(5) Service Area, Utility Screening.

All outdoor storage yards, loading docks, service areas, and mechanical equipment or vents larger than eight inches in diameter visible from ground level shall be concealed by screens at least as high as the equipment they hide and of a color and material matching or compatible with the colors and material found on the façade of the primary building.

* * *

(c) Dumpsters shall be screened in accordance with §59-12200.4C.(5).

1. Where landscaping is used as screening, a landscaped buffer shall be installed no less than six feet in width, planted with a series of evergreen plantings at least six feet in height and spaced in a manner to provide an impervious visual barrier.

(6) Signage.

Signage within the Downtown Design District shall comply with sign regulations as referenced in Chapter 3 of the Municipal Code and shall be subject to Development Regulations and ~~Criteria~~Guidelines as defined in this chapter.

* * *

- (c) Temporary Signs – Large Display Banners and Supergraphics (Wall Scapes/Building Wraps) are prohibited except in the Downtown Business District (DBD) and shall be subject to the following conditions:

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4. ~~Signs shall be permitted to remain in place for a period not to exceed thirty days with a limit of six occurrences~~ Certificates of Approval for this use shall be limited to a maximum of four approvals per location per year;

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(7) Building Materials.

Vinyl, aluminum, and sheet metal siding shall not be permitted except as cladding for structures accessory to Single- and Two-Family residences and that are not visible from the street.

(8) Fencing.

Fences shall comply with the requirements listed below:

- (a) Prohibited Fences;**

1. Chain link for street frontages of non-residential uses;
Ribbed steel, vinyl, aluminum, or plywood panels; and
3. Electrified, barbed, hog, or chicken wire; or single-strand wire fencing over two and one-half feet in height.

(b) Front Yard Fences.

A front yard fence shall be defined as a fence located within the front yard area between the primary street frontage property line and the front wall of all structures or in front of the front wall of the main building on the site.

1. The front yard fence shall be a decorative-type open fence of wood picket, split-rail wood fencing, or ornamental metal pickets (including ornamental iron, galvanized steel, aluminum, or similar material having the appearance of traditional wrought iron).

The height of all front yard fences shall not exceed four feet with the exception of ornamental metal picket fencing which shall be permitted up to six feet in height for non-residential uses.

3. Picket width and separation shall comply with the following:
 - i. For ornamental metal picket fencing four feet or less in height, the maximum picket width shall not be less than one inch and the minimum separation of pickets shall not be less than two and one-half inches. Spiked caps or spears shall not be used.

- ii. On ornamental metal picket fences in excess of four feet in height, minimum separation of pickets shall not be less than six inches above the first four feet in height of the fence.
- iii. For wood picket fencing the maximum picket width shall be three and one-half inches and the minimum separations of the pickets shall be three and one-half inches.
- 4. Support posts for ornamental metal fencing shall be metal or masonry columns and shall be spaced so that visibility is not obstructed so as to present a hazard to pedestrians or vehicular traffic.

(c) Side and Rear Yard Fences.

A side and rear yard fence shall be a fence located within the side and rear yard as defined in §59-2150, Yard, Rear; Yard, Side; and illustrated in Figure 2000.7.

- 1. No such fence shall exceed eight feet in height.

Fencing materials shall consist of open ornamental metal pickets, slatted wood panels, wood pickets, or masonry.

- 3. Ornamental metal fences shall be allowed to include masonry columns as referenced for Front Yard Fences.

G. Development Criteria Guidelines.

These ~~criteria~~guidelines are intended to promote the development and redevelopment of the downtown area in a manner consistent and compatible with existing unique and diverse design elements of downtown Oklahoma City. These ~~criteria~~guidelines are also intended to promote downtown as a ~~unique~~ vibrant and, active destination with a

variety of land uses, designed in context with the area in which they are located. The Downtown Design Review Committee and staff shall apply these ~~criteria~~guidelines as appropriate to the specific site and district, ~~in reviewing applications for Certificates of Approval, provided they recognize preserving the diverse nature~~character and unique context of real estate development and the urban design environment, and providing flexibility to incorporate new technology and techniques.

* * *

(2) Building Materials.

- (a) ~~Building materials, other than glass and transparent areas of street facing facades, should be constructed of masonry materials, glass, steel or architectural metals. Exterior cladding of buildings should consist of glass, steel, architectural metals, and/or masonry materials such as brick, stone, or cement stucco.~~
- (b) Material modules, other than glazing systems, should not exceed wither five feet horizontally and three feet vertically without the clear expression of a joint.
- (c) Synthetic stucco materials, such as Exterior Insulation and Finish Systems (EIFS), should be limited to a maximum of 20 percent of the total of exterior building materials, not including windows, on a building's first three floors. ~~EIFS installed as panels should be trimmed in solid materials.~~ Above the third floor, materials such as synthetic stucco ~~(for example EIFS)~~ should be limited to 50 percent of the total of exterior building materials, not including windows.
- (d) **Exceptions.**

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- 4. ~~Vinyl, aluminum, and sheet metal siding are not permitted except as cladding for structures accessory to a~~

~~single-family residence and that are not visible from the street.~~

~~5.4. Materials for a~~ Additions to an existing building totaling less than 40 percent of ~~the~~that existing building may be clad with materials consistent with existing materials and exterior finishes of the original structure.

5. Additional cladding and accent materials may be allowed on a case-by-case basis provided that product warranties and specifications submitted guarantee that the proposed material is equivalent to any of the materials noted in this section.

(3) Building Design.

~~Building design is established within Downtown Design Districts DBD, DTD-1, and DTD-2 Districts to allow for~~ should promote architectural diversity while encouraging design ~~of buildings~~ that relates to and reinforces the overall character of the immediate surroundings, creating a strong building-to-pedestrian relationship and supporting a strong urban environment. Building design should be applied as follows:

(a) Vertical Character.

Ground floor building facades of non-residential uses, and including mixed uses and multi-family housing should create vertical breaks at regular intervals by spacing architectural features no less than every 20 feet and no greater than every 40 feet.

(b) Horizontal Character.

A clear visual division between the second floor line and upper level floors should be established using cornice lines, windows, or similar architectural elements. The horizontal line established through the use of

such architectural elements should not vary in elevation by more than 24 inches from one building to the next.

(c) Ground Floor Façade.

1. When the ground floor use of a building has a non-residential use and abuts a public street, at least 50 percent of the storefront/building wall should consist of clear or tinted windows and/or doors, and/or display windows set into the building wall.

Any sign or graphic displayed on or affixed to windows within a single structure along street frontage(s) should not exceed 20 percent of the total of transparent areas at groundstreet level.

3. Pedestrian entries should be oriented toward the street and recessed, covered, or otherwise clearly identifiable.

(4) ~~Awnings/Canopies~~ Development Pattern.

- (a) ~~Awnings, when used, should be installed so that the valance is at least eight feet above the sidewalk.~~ New development should incorporate the approximate scale and proportions of the traditional block pattern, concentrating mass and height at key intersections and along major pedestrian corridors.
- (b) ~~Awnings and canopies extending into the street right-of-way should terminate no less than 18 inches from the back of the curb and shall not extend into the Streetscape Zone.~~ Streetwalls formed by existing buildings along arterials and massing of buildings at corners should be maintained.
- (c) New development occurring adjacent to existing and stable residential neighborhoods should provide appropriate

transitions that respect the scale, character, and architectural detailing of the adjacent uses.

(d) Awnings/Canopies.

1. Awnings, when used, should be installed so that the bottom edge of the valance is at least eight feet above the sidewalk.

2. Awnings and canopies extending into the street right-of-way should terminate no less than 18 inches from the back of the curb and should not extend into the Streetscape Zone.

(5) Pedestrian ~~Zone~~ Circulation and Amenities.

Streetscapes are established within the ~~Downtown Design Districts~~ DBD, DTD-1, and DTD-2 Districts to create an attractive and animated sidewalk environment and to foster safe and efficient pedestrian movement. Streetscapes should be in conformance with the Downtown Oklahoma City Streetscape Master Plan to ensure a well designed and unified streetscape treatment within the district.

(a) A Streetscape Zone and Sidewalk Zone should be provided whenever sufficient right-of-way exists between the curb and the property line.

(b) A safe and accessible route should be provided to establish direct visual and physical access along all street frontages and connections within a site to and between the primary entrance or entrances to each building.

(c) Overhead pedestrian walkways should not attach to structures considered historic resources.

(d) Landscaping and pedestrian amenities should be located within the Streetscape Zone and/or Storefront Zone.

1. These elements, with the exception of some plant material, should be placed at least 18 inches from the back of the curb and may be subject to Revocable Permit requirements.

These amenities may include but are not limited to planting strips, raised planters, light standards, signage, transit stops, public art, bike racks, security bollards, Café seating, and Street Trees and furnishings.

3. Street tree species are a component of the Downtown Design Review and should comply with the following:

- i. be adaptable to the conditions of a dense urban environment,

- ii. follow the species recommendations as referenced in “Trees and Plants for Oklahoma City”,

- iii. meet accepted urban tree planting standards as referenced in the Downtown Streetscape Master Plan,

- iv. have a minimum caliper of two inches, be installed within the Streetscape Zone, and be spaced at a minimum of 20 feet,

- v. trees in wells or raised planters should be planted in a minimum volume of soil or structural soil of five feet by five feet by three and one half feet deep. All tree wells should be covered by tree grates with a minimum size or diameter of five feet by five feet, or topped with brick

or stone, or maintained with
landscape treatments.

4. Where parking is provided along the
abutting curb, trees and plant
materials should be spaced so that
they do not impede passengers from
exiting parked vehicles.
5. The Downtown Design Review
Committee or staff may modify these
guidelines, recognizing that not all
streets or block faces may be
appropriate for Street Trees due to
the lack of sunlight or other
limitations such as utility locations.
The Committee or staff may allow
alternative elements, such as above-
ground planters, street furniture, or
public art, which may be located
within the Storefront Zone.
6. Existing healthy street trees should
not be removed unless replaced with
appropriate Street Trees of equal or
better height and caliper.

~~(6) — Streetscape Zone and Storefront Zone.~~

~~(a) — The following elements may be located
within the Streetscape Zone and/or
Storefront Zone. When utilized, these
elements, with the exception of some plant
materials, should be placed at least 18 inches
from the back of the curb. These elements
may be subject to revocable permit
requirements.~~

- ~~1. — Street trees, tree grates, trunk guards,
planting strips, raised planters~~
- ~~2. — Street light standards (within the
Streetscape Zone only)~~
- ~~3. — Street signs/pedestrian way finding
signs~~
- ~~4. — Transit stops (within the Streetscape
Zone only)~~

5. ~~Street Furnishings, such as~~
 - i. ~~Benches~~
 - ii. ~~Trash receptacles~~
 - iii. ~~Bicycle racks~~
 - iv. ~~Fences and railings~~
 - v. ~~Newspaper racks and enclosures~~
 - vi. ~~Postal/freight collection boxes~~
 - vii. ~~Café seating (with/without tables)~~
6. ~~Public art~~
7. ~~Bollards~~

(7) ~~Street Trees.~~

- (a) ~~Street trees, with a minimum two-inch caliper, should be installed within the Streetscape Zone, and spaced at a minimum of 20 feet.~~
- (b) ~~Trees in wells or raised planters should be planted in a minimum volume of soil or structural soil of five feet by five feet by three and one-half feet deep. All tree wells should be covered by tree grates with a minimum size or diameter of five feet by five feet, or topped with brick or stone, or maintained with landscape treatments.~~
- (c) ~~Where parking is provided along the abutting curb, trees and plant materials should be spaced so that they do not impede passengers from exiting parked vehicles.~~
- (d) ~~Street tree species should be adaptable to the conditions of a dense urban environment. Tree species is a component of the Downtown Design Review.~~

~~(e) Installation and planting of street trees shall meet accepted urban tree planting standards, as referenced in the Downtown Streetscape Master Plan.~~

~~(f) Downtown Design Review Committee or Staff may modify these criteria, recognizing not all streets or block faces may be appropriate for street trees due to the lack of sunlight or other limitations such as utility locations. If the criteria are waived, the Committee or Staff may allow alternative elements, such as above ground planters, street furniture, or public art, which may be located within the Storefront Zone.~~

~~(8) *Overhead Pedestrian Walkways.*~~

~~(a) Overhead walkways should not attach to structures considered historic resources.~~

~~(b) Overhead walkways that cross a public street or alley should not block significant views.~~

(9) Parking and Loading.

Parking and loading ~~criteria~~guidelines are established to help manage the supply of off-street parking, improve mobility, promote the use of alternative modes of transportation, support existing and new economic development, maintain air quality and enhance the urban environment.

(a) Automotive: Parking Lot (59-8300.13).

1. Where a parking lot abuts a street frontage, in order to create a clear separation between the sidewalk and parking lot, either a decorative three foot high wall or fence, constructed of building materials as defined in this section, or a two foot wide irrigated landscaped area should be installed and maintained so as not to encroach upon the public rights-of-way.

2. Parking lots should not be adjacent to a street corner, rather, located on the interior of the block in order to allow space for a building or structure to be located on the corner lot, therefore keeping building mass intact on corner lots.

* * *

(7) Parks and Open Areas.

(a) Intent.

Parks and open areas should:

1. Support the Design Districts goals for providing a network of destinations for active and passive public spaces within the community;
2. Enhance the quality of urban life for residents within the Districts by integrating easily accessible parks and open space;
3. Integrate diversity into the Districts urban development patterns in the form of comfortable public gathering spaces with the flexibility of design to accommodate a variety of outdoor public events;
4. Establish an integrated pedestrian circulation network that provides linkages within and between the parks, open spaces, activity centers, and other features in the surrounding areas.

(408) Signage.

* * *

7200.2 Downtown Business District (DBD).

A. Purpose and Intent.

The DBD District is intended ~~for the conduct of all to~~ support diverse forms of business and residential activity,

including mixed-uses in a single building, within the central area of the City. Development regulations and guidelines in this district are intended to promote the development and redevelopment of the downtown area in a manner consistent with the unique and diverse design elements and urban character of the downtown district; ensure that uses are compatible with the commercial, cultural, historical and governmental significance of downtown; promote the downtown as a vital mixed-use area; create a network of pleasant, safe, and connected public spaces and pedestrian amenities; enhance existing structures and circulation patterns; and preserve and restore historic features.

* * *

7200.3 Downtown Transitional District, Limited (DTD-1).

* * *

C. Development Regulations.

Table 7200.2 establishes yard and bulk regulations for the DTD-1 District with the following exceptions:

(1) ~~Exceptions to Maximum Height.~~

- (a) When abutting or within 300 ft of R-1, R-1ZL, R-2, R-3, R-3M, R-4, R-4M, or HP, building height shall be limited within a bulk plane:

When abutting said districts:

- 1. Within 100 feet shall not exceed two stories or 35 ft;

When over 100 feet and within 300 feet shall not exceed four stories or 65 feet.

(2) Setbacks.

- (a) Within the area known as the “Cottage District”

- 1. For new Single Family Residential (59-8200.14) and Two Family Residential (59-8200.16) construction, the front yard setback,

or front and side yard setbacks for corner lots, shall be within the range of existing Single-Family and Two-Family Residential building setbacks on the same side of the street on the same block. The setbacks shall be measured from the plane of any structural element closest to the right-of-way, including enclosed entries and covered porches of either of the first two levels of the building(s).

2. Where less than two Single- or Two-Family Residential structures are located on that same side of the street on the same block, the front yard setback, or front and side yard setbacks for corner lots shall be a maximum of 25 feet from the street frontage property line.

(23) Signage Regulations. Signage within the Downtown Transitional District, Limited (DTD-1) shall comply with O-2 sign regulations as referenced in Chapter 3 of the Municipal Code and with the regulations and ~~criteria~~guidelines of this design district as referenced in Sections 59-7200.1.F. and 59-7200.1.G.

D. Development ~~Criteria~~Guidelines.

The following additional ~~criteria~~guidelines are applicable to the area known as the “Cottage District”, as defined in §59-7200.3.B(1)(a).

SECTION 5. That Chapter 59, Article VIII, Section 8500.2 of the Oklahoma City Municipal Code 2010, is hereby amended to read as follows:

ARTICLE VIII. USE UNIT CLASSIFICATIONS.

* * *

§59-8500 TEMPORARY USES.

* * *

8500.2 B. Temporary Construction Sites.

(1) Temporary Buildings, On-Site.

In all Districts, temporary buildings for uses incidental to construction work shall be permitted provided they shall be removed upon the completion or abandonment of the construction work.

(2) Temporary Construction Staging Areas, Off-Site.

In the BC, DBD, DTD-1, DTD-2, and SRODD Districts, off-site staging areas may be allowed on a temporary basis in order to facilitate construction projects. Temporary Construction Staging Areas, Off-Site shall:

- (a) Accommodate only temporary storage of equipment and materials during the period of construction;
- (b) Provide screening of materials and equipment from street frontages;
- (c) Be allowed to provide screening by installation of manufacturer coated chain-link fencing with mesh screening along street frontages;
- (d) Be allowed to install gravel surface where the existing surface is not paved to City's standards, as long as appropriate materials to prevent gravel from infiltrating the soil and erosion controls in accordance with Chapter 16 and Chapter 48 are installed; and
- (e) Be returned to original or better condition, including the removal of fencing materials and gravel, within two weeks of completion of construction or abandonment of the construction work.

* * *

SECTION 6. That Chapter 59, Article IX, Section 9350.47 of the Oklahoma City Municipal Code 2010, is hereby amended to read as follows:

ARTICLE IX. USE STANDARDS.

* * *

§59-9350.47. Outdoor Sales and Display, and Outdoor Storage (59-8300.54).

* * *

J. In the DBD District, DTD-1, and DTD-2 Districts, no article or material shall be kept, stored, sold, or displayed, outside the confines of the building-, with the following exceptions:

(1) In the DTD-1 and DTD-2 Districts, Light Industrial (59-8350.8) uses may be permitted outdoor storage upon approval, and subject to any conditions imposed, through the Special Permit process.

(2) Sale of merchandise that is accessory and/or non-accessory to the principal use to include Food From Vehicle Sales (as referenced in Chapter 21, Article VII) and Outdoor Sellers shall be permitted, subject to the following:

(a) All applicable provisions of Chapter 21 and Chapter 39 of the Oklahoma City Municipal Code shall be met unless modified by this section.

(b) All temporary materials and structures used for the conduct of sales of merchandise or consumable products, including but not limited to stands, pushcarts, tents, vehicles, signs, and displays shall be removed from the property or stored inside a building when not being used for permitted sales activity.

(c) No such sales shall be conducted within the following areas: beginning at a point on the southwest corner of Hudson Avenue and Dean A. McGee Avenue, proceeding north to the northwest corner of Northwest 8th Street, then proceeding east along the northern boundary of Northwest 8th Street to the northeast corner of Broadway, thence south along the easternmost edge of Broadway to the southeast corner of N.W. 4th Street, thence south along E.K. Gaylord

to the southeast corner of Dean A. McGee Avenue, thence west along the southernmost edge of the public right-of-way back to the southwest corner of Hudson Avenue.

- K. In the DBD, DTD-1, and DTD-2 Districts, ~~no article or material shall be kept, stored or displayed outside the confines of the building, except that Light Industrial (59-8350.8) uses may be permitted outdoor storage upon approval, and subject to any conditions imposed, through the Special Permit process.~~ display of goods and materials not actively offered for sale shall be prohibited.
- L. In the DBD, DTD-1, and DTD-2 Districts, temporary outdoor displays for special sales merchandise that is accessory to the principal use is permitted provided the display shall be limited to the sidewalk in front of the store and is subject to all required permits. Provided, the storage and display of tires shall comply with the following additional regulations: (1) Tires shall not be stored outside the confines of an enclosed building; however tires may be display for sale outside the confines of an enclosed building but only within the hours of 6:00 a.m. and 9:00 p.m. daily; and (2) All premises upon which tires are stored or displayed in violation of Subsection L. shall be brought into compliance with this subsection within six months of the effective date of this ordinance.

* * *

SECTION 7. That Chapter 59, Article XII, Section 12200.3 of the Oklahoma City Municipal Code 2010, is hereby amended to read as follows:

ARTICLE XII. SITE DEVELOPMENT STANDARDS.

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

* * *

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.

* * *

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:

* * *

(c) The ~~Planning Department Staff~~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 ~~wrought iron~~ ornamental metal, picket and split rail fencing shall be permitted. ~~For 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.~~

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.

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) ~~The Planning Department Staff may approve a decorative wrought iron fence not to exceed six feet in height. All wrought iron fences shall be subject to the following conditions and requirements: Site plans and elevations of the fence shall be submitted for permit review. The proposed fence shall not pose a safety or visibility hazard.~~

- ~~1. site plans and elevations of the fence shall be submitted for permit review. The proposed fence shall not pose a safety or visibility hazard.~~
- ~~2. the fence shall be made of decorative wrought iron, galvanized steel, aluminum, or similar material having the appearance of decorative wrought iron.~~
- ~~3. maximum picket width shall not exceed one inch square.~~
- ~~4. Minimum separation of pickets shall not be less than two and one-half inches, for the first four feet in height of the fence and shall not be less than six inches above the first four feet in height of the fence.~~
- ~~5. Spiked caps or spears shall not be used on pickets under five and one-~~

~~half feet in height. The height of the fence with spiked caps shall not exceed six feet~~

* * *

- (g) The ~~Planning Department Staff~~staff may approve a retaining wall to address drainage or topographical problems.

* * *

(2) Side and Rear Yard Fence.

A side and rear yard fence shall be defined as a fence located within the side and rear yards, as defined in §59-2150. “Yard, Rear and “Yard, Side” as shown in Figure 2000.7.

* * *

4. Ribbed steel panel fences shall not be permitted in the DBD, DTD-1, HP₂ or HP Districts.

* * *

(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.

INTRODUCED AND READ in the open meeting of the Council of The City of Oklahoma City, Oklahoma, this 29th day of January, 2013.

PASSED by the Council of The City of Oklahoma City, Oklahoma on this 19th day of February, 2013.

SIGNED by the Mayor of The City of Oklahoma City, Oklahoma on this 19th day of February, 2013.

ATTEST:

Frances Kersey
City Clerk

Mick Cornett
MAYOR

