

(Published in the Journal Record 1st day of August, 2018)

**ORDINANCE NO. 25,972**

**ORDINANCE RELATING TO THE ZONING AND PLANNING CODE, AND THE GENERAL SCHEDULE OF FEES, AMENDING CHAPTER 59 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2010, AMENDING ARTICLE II, SECTION 2150.2, GENERAL DEFINITIONS; AMENDING ARTICLE V, TABLE 5150.1, ZONING DISTRICTS; AMENDING ARTICLE VI, SECTION 6200.2, DISTRICT USE REGULATIONS; TABLE 6200.1, OFFICE AND COMMERCIAL DISTRICT USES REGULATIONS; SECTION 6250.2, DISTRICT USE REGULATIONS; AND TABLE 6250.1, INDUSTRIAL DISTRICTS USES REGULATIONS; AND ARTICLE VII, SECTION 7150, BRICKTOWN CORE DEVELOPMENT DISTRICT; TABLE 7150.2, BRICKTOWN CORE DEVELOPMENT DISTRICT USE REGULATIONS; SECTION 7200.1, DOWNTOWN DESIGN DISTRICTS (DBD, DTD-1, DTD-2); TABLE 7200.1, DOWNTOWN DESIGN DISTRICT USES REGULATIONS; SECTION 7300.2, GENERAL REGULATIONS FOR TRACTS 1-5 OF THE NEIGHBORHOOD CONSERVATION DISTRICT; AND TABLE 7300.1, NC NEIGHBORHOOD CONSERVATION DISTRICT USE REGULATIONS; AMENDING ARTICLE VIII, AMENDING COMMERCIAL AND OFFICE AND INDUSTRIAL USE UNIT CLASSIFICATIONS 8300.5, 8300.33, 8300.37, 8300.38, 8300.39, 8300.41, 8350.6, AND 8350.8; AMENDING ARTICLE IX, ESTABLISHING SECTION 9350.25.1, DRINKING ESTABLISHMENTS: SITDOWN, ALCOHOL PERMITTED (59-8300.33); AMENDING SECTION 9350.26, EATING ESTABLISHMENTS: SITDOWN, ALCOHOL NOT PERMITTED (59-8300.37); AND ESTABLISHING SECTION 9350.26.1, EATING ESTABLISHMENTS: SITDOWN, ALCOHOL PERMITTED (59-8300.38); AMENDING ARTICLE XIII, SECTION 13100, GENERAL PROVISIONS; AND REPEALING SECTIONS 13200 THROUGH 13200.5, ALCOHOLIC BEVERAGE CONSUMPTION OVERLAY DISTRICTS (ABC); AMENDING CHAPTER 60, TITLE 59, ARTICLE VII, SECTION 60-59-13 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2010, SPECIAL ZONING DISTRICT APPLICATIONS.**

**ORDINANCE**

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

**SECTION 1.** That 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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##### **2150.2      *General Definitions***

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##### **B**

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*Boulevard or Parkway:* A broad, often landscaped, thoroughfare.

*Brewery:* A brewery is any establishment that produces beer and is licensed pursuant to State law.

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##### **T**

*Taproom:* An area that is ancillary to the production of beer at a brewery, where the public can purchase and/or consume only product allowed under the rights bestowed to a brewer under State Law.

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**SECTION 2.** That Chapter 59, Article V, Table 5150.1 of the Oklahoma City Municipal Code 2010, is hereby amended to read as follows:

#### **ARTICLE V. ZONING DISTRICTS AND OFFICIAL ZONING DISTRICTS MAP**

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##### **§ 59-5150.      ZONING DISTRICT AUTHORIZATION.**

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<b>TABLE 5150.1: ZONING DISTRICTS</b>		
<b>AGRICULTURAL AND RESIDENTIAL DISTRICTS</b>		
AA	Agricultural District	
RA2	Single-Family Two-Acre Rural Residential District	
RA	Single-Family One-Acre Rural Residential District	
R-1	Single-Family Residential (6,000 square foot minimum) District	
R-1ZL	Single-Family Residential Zero Lot Line District	
R-2	Medium-Low Residential District	
R-3	Medium Density Residential District	
R-3M	Medium Density Multiple-Family Residential District	
R-4M	Medium-High Density Multiple-Family Residential District	
R-4	General Residential District	
R-MH-1	Manufactured (Mobile) Home Subdivision District	
R-MH-2	Manufactured (Mobile) Home Park District	
<b>OFFICE AND COMMERCIAL DISTRICTS</b>		
O-1	Limited Office District	
O-2	General Office District	
RC	Rural Commercial District	<del>NEW</del>
NB	Neighborhood Business District	
C-1	Neighborhood Commercial District	
C-2	Shopping Center District	
C-3	Community Commercial District	
C-4	General Commercial District	
C-CBD	Central Business District	
C-HC	Highway Commercial District	
<b>INDUSTRIAL DISTRICTS</b>		
TP	Technology Park District	<del>NEW</del>
I-1	Light Industrial District	
I-2	Moderate Industrial District	
I-3	Heavy Industrial District	
<b>SPECIAL PURPOSE DISTRICTS</b>		
BC	Bricktown Core Development District	

DBD	Downtown Business District	
DTD-1	Downtown Transitional District Limited	
DTD-2	Downtown Transitional District General	
HP	Historic Preservation District	
NC	Neighborhood Conservation District	
SYD	Stockyards City Development District	
<b>OVERLAY DISTRICTS</b>		
AE-1	Airport Environs Zone 1	
AE-2	Airport Environs Zone 2	
<del>ABC-1</del>	<del>Alcoholic Beverage Consumption, Restaurant with Limited Alcohol Overlay District</del>	
<del>ABC-2</del>	<del>Alcoholic Beverage Consumption, Restaurant with Alcohol Overlay District</del>	
<del>ABC-3</del>	<del>Alcoholic Beverage Consumption, Club with Alcohol Overlay District</del>	
CBO	Classen Boulevard Overlay District	
HL	Historic Landmark Overlay District	
MH	Manufactured Home Overlay District	
DP	Downtown Parking Overlay District	
FP	Fringe Parking Overlay District	
SRO	Scenic River Overlay District	
SRODD	Scenic River Overlay Design District	
SYT	Stockyards City Transitional Development District	
TT	Twenty-third Street Uptown Corridor Overlay District	
UCD	Urban Conservation Overlay District	
UD	Urban Design Overlay District	

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**SECTION 3.** That Chapter 59, Article VI, Section 6200.2, Table 6200.1, Section 6250.2, and Table 6250.1 of the Oklahoma City Municipal Code 2010, are hereby amended to read as follows:

#### **ARTICLE VI. ZONING BASE DISTRICTS**

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## §59-6200. OFFICE AND COMMERCIAL DISTRICTS

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### 6200.2. District Use Regulations.

- A. Special standards for specific uses identified in Table 6200.1 as Special Exception (SE), Special Permit (SP) or Conditional (C) are found in Section 59-9350, Standards for Specific Uses.
- B. Table 6200.1 lists the uses allowed in the office and commercial districts.
- C. Unless allowed conditionally as annotated in Table 6200.1, 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 condition, 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.

**TABLE 6200.1: OFFICE AND COMMERCIAL DISTRICT USES REGULATIONS**

**KEY:**

P = Permitted // C = Conditional // SE = Special Exception // SP = Special Permit // ~~A = ABC~~  
~~Overlay~~ // V = Variance

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

USE		O-1	O-2	RC	NB	C-1	C-2	C-3	C-4
8350.2	Aboveground Flammable Liquid Storage: Restricted	SE	SE	SE	SE	SE	SE	SE	SE
8300.1	Administrative and Professional Offices	P	P	P	P	P	P	P	P
8300.2	Adult Day Care Facilities	P	P	P	P	P	P	P	P
8300.3	Adult Entertainment Uses							C	C
8150.1	Agricultural Processing: General	C	C	C	C	C	C	C	C
8150.2	Agricultural Processing: Limited	C	C	C	C	C	C	C	C
8300.4	Agricultural Supplies and Services			P					P

8300.5	Alcoholic Beverage Retail Sales					P	P	P	P
8150.3	Animal Raising: Commercial	C	C	C	C	C	C	C	C
8150.4	Animal Raising: Commercial Feedlots	SP	SP	SP	SP	SP	SP	SP	SP
8150.5	Animal Raising: Personal	C	C	C	C	C	C	C	C
8300.7	Animal Sales and Services: Auctioning			SP					
8300.8	Animal Sales and Services: Grooming			P	P	P	P	P	P
8300.10	Animal Sales and Services: Kennel and Veterinary, General			P					SP
8300.11	Animal Sales and Services: Kennel and Veterinary, Restricted			P	P	P	P	P	P
8300.12	Automotive: Parking Garages		P		P		P	P	P
8300.13	Automotive: Parking Lots, as a Principal Use	P	P		P			P	P
8300.14	Automotive and Equipment: Cleaning and Repairs, Light Equipment				C		C	C	C
8300.15	Automotive and Equipment: Heavy Repairs, Heavy Equipment								P
8300.16	Automotive Auction								P
8300.17	Automotive Vehicle Impound Yards and Damaged Vehicle Auctions								C
8300.18	Automotive and Equipment: Automobile Dealerships and Malls							SP	P
8300.19	Automotive and Equipment: Sales and Rentals, Farm and Heavy Equipment								P
8300.20	Automotive and Equipment: Sales and Rentals, Trucks, Manufactured (Mobile) Homes and Recreational Vehicles								P
8300.21	Automotive and Equipment: Storage								P
8300.22	Bingo Parlors							P <sup>2</sup>	P <sup>2</sup>
8300.23	Building Maintenance Services				P			P	P
8300.24	Business Support Services		P		P	P	P	P	P
8300.25	Child Care Centers	P	P	P	P	P	P	P	P
8300.26	Commercial Blood Centers	SP	SP	SP	SP	SP	SP	SP	SP
8300.27	Communications Services: Antennas	C	C	C	C	C	C	C	C
8300.28	Communications Services: Broadcast Towers	C	C	C	C	C	C	C	C
8300.29	Communications Services: Limited		P		P		P	P	P

8300.30	Communications Services: Telecommunication Towers	C	C	C	C	C	C	C	C
8150.6.1	Community Garden	C	C	C	C	C	C	C	C
8250.2	Community Recreation: General		P				P	P	P
8250.3	Community Recreation: Property Owners Association		P					P	P
8250.4	Community Recreation: Restricted		P		P		P	P	P
8150.6.2	Composting	C	C	P	C	C	C	C	C
8300.31	Construction Sales and Services								P
8300.32	Convenience Sales and Personal Services		C <sup>5</sup>		P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>
8250.5	Cultural Exhibits		P <sup>5</sup>		P <sup>5</sup>			P <sup>5</sup>	P <sup>5</sup>
8350.3	Custom Manufacturing				P		P	P	P
8250.6	Domestic Violence Shelters	SP	SP	SP	SP	SP	SP	SP	SP
8200.2	Dwelling Units and Mixed Uses	P	P	P	P	P	P	P	P
8300.33	Drinking Establishments: Sitdown, Alcohol Permitted		C/A <u>SP</u>				<del>A</del> <u>SP</u>	<del>A</del> <u>SP</u>	<del>A</del> <u>SP</u>
8300.34	Eating Establishments: Drive-In <sup>1</sup>				P <sup>5</sup>			P <sup>5</sup>	P <sup>5</sup>
8300.35	Eating Establishments: Fast Food <sup>2</sup>				P <sup>5</sup>		P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>
8300.36	Eating Establishments: Fast Food, With Drive-Thru Order Window				P <sup>5</sup>		P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>
8300.37	Eating Establishments: Sitdown <sup>6</sup> , Alcohol Not Permitted		C		P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>
8300.38	Eating Establishments: Sitdown, Alcohol Permitted		C/A <u>SP</u>		P	<del>A-C</del>	<del>A-C</del>	<del>A-C</del>	<del>A-C</del>
8300.39	Eating Establishments: Sitdown, Limited Alcohol Permitted		C/A <u>SP</u>		P	<del>A-P</del>	<del>A-P</del>	<del>A-P</del>	<del>A-P</del>
8250.7	Emergency Shelters and Feeding Sites	SP	SP	SP	SP	SP	SP	SP	SP
8300.41	Food and Beverage Retail Sales				P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>
8250.8	Forced Detention or Correction Facilities	SP	SP	SP	SP	SP	SP	SP	SP
8300.42	Funeral and Interment Services: Cremating		SP					SP	SP
8300.43	Funeral and Interment Services: Interring	SP	SP	SP	SP	SP	SP	SP	SP
8300.44	Funeral and Interment Services: Undertaking		P					P	P
8300.45	Gasoline Sales, Large						P	P	P
8300.46	Gasoline Sales. Small: Restricted			P	C	C	P	P	P
8300.47	Gasoline Sales: Truck Stop								P

8150.6.3	Greenhouse	P	P	P	P	P	P	P	P
8350.5	Hazardous Waste Disposal	SP	SP	SP	SP	SP	SP	SP	SP
8250.9	Heavy Public Protection and Utility	SP	SP	SP	SP	SP	SP	SP	SP
8250.10	High Impact Institutional	SP	SP	SP	SP	SP	SP	SP	SP
8150.6.4	Home Garden	C	C	C	C	C	C	C	C
8150.6.5	Hoop House	P	P	P	P	P	P	P	P
8150.7	Horticulture	C	C		C	C	C		
8300.48	Laundry Services				P			P	P
8250.11	Library Services and Community Centers	P	P		P	P	P	P	P
8250.12	Light Public Protection and Utility: General	P	P	P	P	P	P	P	P
8250.13	Light Public Protection and Utility: Restricted	P	P	P	P	P	P	P	P
8300.49	Lodging Accommodations: Bed and Breakfast		p <sup>5</sup>		C <sup>5</sup>			p <sup>5</sup>	
8300.50	Lodging Accommodations: Campground								P
8300.51	Lodging Accommodations: Commercial Lodging		p <sup>5</sup>					p <sup>5</sup>	p <sup>5</sup>
8250.14	Low Impact Institutional: Neighborhood-Related	P	P	P	P	P	P	P	P
8300.52	Medical Services: General		C	P	P	P	P	P	P
8300.53	Medical Services: Restricted	P	P	P	P	P	P	P	P
8450.1	Mining and Processing: Minerals and Raw Material	SP	SP	SP	SP	SP	SP	SP	SP
8450.2	Mining and Processing: Oil and Gas	V	V	V	V	V	V	V	V
8250.15	Moderate Impact Institutional	SP	SP	SP	SP	SP	SP	SP	SP
8200.12	Multiple-Family Residential				C			C <sup>3</sup>	
8250.16	Murals	C	C	C	C	C	C	C	C
8300.54	Outdoor Sales and Display, and Outdoor Storage							C	C
8300.55	Participant Recreation and Entertainment: Indoor				p <sup>5</sup>		C <sup>5</sup>	p <sup>5</sup>	p <sup>5</sup>
8300.56	Participant Recreation and Entertainment: Outdoor							SP <sup>5</sup>	SP <sup>5</sup>
8300.57	Payday or Title Loan Agencies				P		P	P	P
8300.58	Personal Services: General		p <sup>5</sup>	p <sup>5</sup>	p <sup>5</sup>		p <sup>5</sup>	p <sup>5</sup>	p <sup>5</sup>
8300.59	Personal Services: Restricted	p <sup>5</sup>	p <sup>5</sup>		p <sup>5</sup>	p <sup>5</sup>	p <sup>5</sup>	p <sup>5</sup>	p <sup>5</sup>

8300.60	Personal Storage							C	P
8150.7.1	Rainwater Harvesting	C	C	C	C	C	C	C	C
8300.61	Repair Services: Consumer			P	P	P	P	P	P
8300.62	Research Services: Restricted		P		P			P	P
8250.17	Residential Facilities for Dependent and Neglected Children	SP	SP	SP	SP	SP	SP	SP	SP
8250.18	Residential Facilities for Drug or Alcohol Treatment Center	SP	SP	SP	SP	SP	SP	SP	SP
8300.63	Retail Sales and Services: General		C <sup>5</sup>		P <sup>5</sup>		P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>
8300.64	Retail Sales and Services: Outdoor Swap Meet			SP					SP
8300.65	Retail Sales and Services: Pawn Shops				C		P	P	P
8150.7.2	Roof Garden	C	C	C	C	C	C	C	C
8350.12	Sanitary Landfills		SP	SP	SP	SP	SP	SP	SP
8200.13	Senior Independent Living						P	P	
8300.66	Signs: Non-Accessory							C	P
8200.14	Single-Family Residential				P				
8300.67	Spectator Sports and Entertainment: General						C <sup>5</sup>	SP <sup>5</sup>	P <sup>5</sup>
8300.68	Spectator Sports and Entertainment: High Impact	SP <sup>5</sup>	SP <sup>5</sup>	SP <sup>5</sup>	SP <sup>5</sup>	SP <sup>5</sup>	SP <sup>5</sup>	SP <sup>5</sup>	SP <sup>5</sup>
8300.69	Spectator Sports and Entertainment: Restricted				P <sup>5</sup>		P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>
8250.19	Transitional Mental Health Residential Facilities	SP	SP	SP	SP	SP	SP	SP	SP
8400.2	Transportation Facilities: Aircraft	SP	SP	SP	SP	SP	SP	SP	SP
8400.3	Transportation Facilities: Surface Passenger	SP	SP	SP	SP	SP	SP	SP	SP
8450.4	Underground Injection Wells: Enhanced Recovery Wells	SE	SE	SE	SE	SE	SE	SE	SE
8150.9	Urban Farm	C	C	C	C	C	C	C	C
8350.16	Wholesaling, Storage and Distribution: Restricted								P

**TABLE 6200.1: OFFICE AND COMMERCIAL DISTRICT USES REGULATIONS**

KEY:

P = Permitted // C = Conditional // SE = Special Exception // SP = Special Permit // ~~A = ABC~~  
~~Overlay~~ // V = Variance

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

USE		C- CBD	C- HC
8350.2	Aboveground Flammable Liquid Storage: Restricted	SE	SE
8300.1	Administrative and Professional Offices	P	
8300.2	Adult Day Care Facilities	P	P
8300.3	Adult Entertainment Uses	C	
8150.1	Agricultural Processing: General	C	C
8150.2	Agricultural Processing: Limited	C	C
8300.5	Alcoholic Beverage Retail Sales		P
8150.3	Animal Raising: Commercial	C	C
8150.4	Animal Raising: Commercial Feedlots	SP	SP
8150.5	Animal Raising: Personal	C	C
8300.8	Animal Sales and Services: Grooming	P	
8300.11	Animal Sales and Services: Kennel and Veterinary, Restricted	P	
8300.12	Automotive: Parking Garages	P	
8300.13	Automotive: Parking Lots, as a Principal Use	P	
8300.14	Automotive and Equipment: Cleaning and Repairs, Light Equipment	C	C
8300.17	Automotive Vehicle Impound Yards and Damaged Vehicle Auctions	C	
8300.18	Automotive and Equipment: Automobile Dealerships and Malls	P	P
8300.20	Automotive and Equipment: Sales and Rentals, Trucks, Manufactured (Mobile) Homes and Recreational Vehicles		P
8300.22	Bingo Parlors	p <sup>5</sup>	p <sup>5</sup>
8300.23	Building Maintenance Services	P	
8300.24	Business Support Services	P	
8300.25	Child Care Centers	P	P
8300.27	Communications Services: Antennas	C	C
8300.28	Communications Services: Broadcast Towers	C	C
8300.29	Communications Services: Limited	P	
8300.30	Communications Services: Telecommunication Towers	C	C
8150.6.1	Community Garden	C	C
8250.2	Community Recreation: General	P	
8250.3	Community Recreation: Property Owners Association	P	
8250.4	Community Recreation: Restricted	P	
8150.6.2	Composting	P	P
8300.31	Construction Sales and Services	P	

8200.1	Congregate Care Housing and Convalescent Homes	P	
8300.32	Convenience Sales and Personal Services	P <sup>5</sup>	C <sup>5</sup>
8250.5	Cultural Exhibits	P <sup>5</sup>	
8350.3	Custom Manufacturing	P	
8250.6	Domestic Violence Shelters	SP	SP
8200.2	Dwelling Units and Mixed Uses	P	P
8300.33	Drinking Establishments: Sitdown, Alcohol Permitted	<del>A</del> <u>SP</u>	<del>A</del> <u>SP</u>
8300.34	Eating Establishments: Drive-In	P <sup>5</sup>	P <sup>5</sup>
8300.35	Eating Establishments: Fast Food	P <sup>5</sup>	P <sup>5</sup>
8300.36	Eating Establishments: Fast Food, With Drive-Thru Order Window	P <sup>5</sup>	P <sup>5</sup>
8300.37	Eating Establishments: Sitdown <sup>6</sup> , Alcohol Not Permitted	P <sup>5</sup>	P <sup>5</sup>
8300.38	Eating Establishments: Sitdown, Alcohol Permitted	<del>A</del> <u>C</u>	<del>A</del> <u>C</u>
8300.39	Eating Establishments: Sitdown, Limited Alcohol Permitted	<del>A</del> <u>P</u>	<del>A</del> <u>P</u>
8250.7	Emergency Shelters and Feeding Sites	SP	SP
8300.41	Food and Beverage Retail Sales	P <sup>5</sup>	
8250.8	Forced Detention or Correction Facilities	SP	SP
8300.42	Funeral and Interment Services: Cremating	P	
8300.43	Funeral and Interment Services: Interring	SP	SP
8300.44	Funeral and Interment Services: Undertaking	P	
8300.45	Gasoline Sales, Large		P
8300.46	Gasoline Sales. Small: Restricted		P
8300.47	Gasoline Sales: Truck Stop		P
8150.6.3	Greenhouse	P	P
8200.3	Group Residential	P	
8350.5	Hazardous Waste Disposal	SP	SP
8250.9	Heavy Public Protection and Utility	SP	SP
8250.10	High Impact Institutional	SP	SP
8150.6.5	Hoop House	P	P
8150.7	Horticulture	C	C
8300.48	Laundry Services	P	
8250.11	Library Services and Community Centers	P	
8250.12	Light Public Protection and Utility: General	P	P
8250.13	Light Public Protection and Utility: Restricted	P	P
8300.49	Lodging Accommodations: Bed and Breakfast	P <sup>5</sup>	

8300.50	Lodging Accommodations: Campground		P
8300.51	Lodging Accommodations: Commercial Lodging	P <sup>5</sup>	P <sup>5</sup>
8250.14	Low Impact Institutional: Neighborhood-Related	P	
8300.52	Medical Services: General	P	
8300.53	Medical Services: Restricted	P	
8450.1	Mining and Processing: Minerals and Raw Material	SP	SP
8450.2	Mining and Processing: Oil and Gas	V	V
8200.12	Multiple-Family Residential	P	
8250.15	Moderate Impact Institutional	SP	SP
8250.16	Murals	C	C
8300.54	Outdoor Sales and Display, and Outdoor Storage	C	
8300.55	Participant Recreation and Entertainment: Indoor	P <sup>5</sup>	
8300.56	Participant Recreation and Entertainment: Outdoor	SP <sup>5</sup>	SP <sup>5</sup>
8300.57	Payday or Title Loan Agencies	P	
8300.58	Personal Services: General	P <sup>5</sup>	
8300.59	Personal Services: Restricted	P <sup>5</sup>	
8300.60	Personal Storage	P	
8150.7.1	Rainwater Harvesting	C	C
8300.61	Repair Services: Consumer	P	
8300.62	Research Services: Restricted	P	
8250.17	Residential Facilities for Dependent and Neglected Children	SP	SP
8250.18	Residential Facilities for Drug or Alcohol Treatment Center	SP	SP
8300.63	Retail Sales and Services: General	P <sup>5</sup>	
8300.65	Retail Sales and Services: Pawn Shops	P	
8150.7.2	Roof Garden	C	C
8350.12	Sanitary Landfills	SP	SP
8300.66	Signs: Non-Accessory	P	C
8200.14	Single-Family Residential		P <sup>4</sup>
8300.67	Spectator Sports and Entertainment: General	P <sup>5</sup>	
8300.68	Spectator Sports and Entertainment: High Impact	SP <sup>5</sup>	SP <sup>5</sup>
8300.69	Spectator Sports and Entertainment: Restricted	P <sup>5</sup>	
8250.19	Transitional Mental Health Residential Facilities	SP	SP
8400.2	Transportation Facilities: Aircraft	SP	SP
8400.3	Transportation Facilities: Surface Passenger	SP	SP

8450.4	Underground Injection Wells: Enhanced Recovery Wells	SE	SE
8150.9	Urban Farm	C	C
8350.16	Wholesaling, Storage and Distribution: Restricted	P	

#### **FOOTNOTES: TABLE 6200.1**

<sup>1</sup> Use Eating Establishment: Drive-In (8300.34) allowed for those in O-2 District: Group A (under 100,000 sf GFA in total).

<sup>2</sup> Use Eating Establishment: Fast Food (8300.35) allowed for those in O-2 District: Group B (over 100,000 sf GFA in total).

<sup>3</sup> Multi-Family Residential is only permitted as allowed within the Mayfair Heights UCD.

<sup>4</sup> The single-family residential use shall be permitted only for occupancy by an owner or operator and his family of a commercial business on the same property. A separate freestanding residential structure is permitted.

<sup>5</sup> 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.

<sup>6</sup> 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.

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## **§ 59-6250. INDUSTRIAL DISTRICTS.**

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### **6250.2. District Use Regulations.**

- A. Special standards for specific uses identified in Table 6250.1 as Special Exception (SE), Special Permit (SP) or Conditional (C) are found in Section 59-9350, Standards for Specific Uses.

B. Table 6250.1 lists the uses allowed in the industrial districts.

C. Unless allowed conditionally as annotated in Table 6250.1, 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 condition, 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.

**TABLE 6250.1: INDUSTRIAL DISTRICTS USES REGULATIONS**

**KEY:**

P = Permitted // C = Conditional // SE = Special Exception // SP = Special Permit // ~~A = ABC~~

~~Overlay~~ // V = Variance

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

USE		TP	I-1	I-2	I-3
8350.1	Aboveground Flammable Liquid Storage: General			SP	SP
8350.2	Aboveground Flammable Liquid Storage: Restricted	C	C	C	C
8300.1	Administrative and Professional Offices	P	P	P	P
8300.2	Adult Day Care Facilities	P	P	P	P
8150.1	Agricultural Processing: General	C	C	C	C
8150.2	Agricultural Processing: Limited	C	C	C	C
8300.4	Agricultural Supplies and Services		C	P	P
8300.5	Alcoholic Beverage Retail Sales		P	P	P
8300.6	Animal Interment Services		SP	SP	SP
8150.3	Animal Raising: Commercial	C	C	C	C
8150.4	Animal Raising: Commercial Feedlots			SP	SP
8150.5	Animal Raising: Personal	C	C	C	C
8300.7	Animal Sales and Services: Auctioning				P
8300.8	Animal Sales and Services: Grooming		P	P	P
8300.10	Animal Sales and Services: Kennel and Veterinary, General			P	P

8300.11	Animal Sales and Services: Kennel and Veterinary, Restricted		P	P	P
8150.6	Animal Waste Processing				P
8300.12	Automotive: Parking Garages	P	P	P	P
8300.13	Automotive: Parking Lots, as a Principal Use	P	P	P	P
8300.14	Automotive and Equipment: Cleaning and Repairs, Light Equipment		C	P	P
8300.15	Automotive and Equipment: Heavy Repairs, Heavy Equipment			P	P
8300.16	Automotive Auction			P	P
8300.17	Automotive Vehicle Impound Yards and Damaged Vehicle Auctions			C	C
8300.18	Automotive and Equipment: Automobile Dealerships and Malls		C	P	P
8300.19	Automotive and Equipment: Sales and Rentals, Farm and Heavy Equipment			P	P
8300.20	Automotive and Equipment: Sales and Rentals, Trucks, Manufactured (Mobile) Homes and Recreational Vehicles		C	P	P
8300.21	Automotive and Equipment: Storage			P	P
8300.22	Bingo Parlors		P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8300.23	Building Maintenance Services		P	P	P
8300.24	Business Support Services	P	P	P	P
8300.25	Child Care Centers	P	P	P	P
8300.26	Commercial Blood Centers		SP	SP	P
8300.27	Communications Services: Antennas	C	C	C	C
8300.28	Communications Services: Broadcast Towers	C	C	C	C
8300.29	Communications Services: Limited	P	P	P	P
8300.30	Communications Services: Telecommunication Towers	C	C	C	C
8150.6.1	Community Garden	C	C	C	C
8150.6.2	Composting	P	P	P	P
8300.31	Construction Sales and Services		C	P	P
8300.32	Convenience Sales and Personal Services	C <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	
8250.5	Cultural Exhibits	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	
8350.3	Custom Manufacturing	P	P	P	P
8250.6	Domestic Violence Shelters	SP	SP	SP	SP
8300.33	Drinking Establishments: Sitdown, Alcohol Permitted	A <u>SP</u>	A <u>SP</u>	A <u>SP</u>	A <u>SP</u>
8200.2	Dwelling Units Above the Ground Floor	P	P	P	P

8300.34	Eating Establishments: Drive-In		P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8300.35	Eating Establishments: Fast Food		P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8300.36	Eating Establishments: Fast Food, With Drive-Thru Order Window		P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8300.37	Eating Establishments: Sitdown <sup>4</sup> , <del>Alcohol Not Permitted</del>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8300.38	Eating Establishments: Sitdown, Alcohol Permitted	A C	A C	A C	A C
8300.39	Eating Establishments: Sitdown, Limited Alcohol Permitted	A P	A P	A P	A P
8250.7	Emergency Shelters and Feeding Sites	SP	SP	SP	SP
8300.41	Food and Beverage Retail Sales		P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8250.8	Forced Detention or Correction Facilities	SP	SP	SP	SP
8300.42	Funeral and Interment Services: Cremating		SP	SP	SP
8300.43	Funeral and Interment Services: Interring		SP	SP	SP
8300.44	Funeral and Interment Services: Undertaking		P	P	P
8300.45	Gasoline Sales, Large		P	P	P
8300.46	Gasoline Sales, Small: Restricted		P	P	P
8300.47	Gasoline Sales: Truck Stop		P	P	P
8150.6.3	Greenhouse	P	P	P	P
8350.4	Hazardous Industrial				SP
8350.5	Hazardous Waste Disposal	SP	SP	SP	SP
8250.9	Heavy Public Protection and Utility	SP	SP	SP	SP
8250.10	High Impact Institutional	SP	SP	SP	SP
8150.6.5	Hoop House	P	P	P	P
8150.7	Horticulture		C	P	P
8350.6	Industrial, Heavy				P
8350.7	Industrial, Moderate			P	P
8350.8	Industrial, Light	P	P	P	P
8300.48	Laundry Services		P	P	P
8250.12	Light Public Protection and Utility: General	P	P	P	P
8250.13	Light Public Protection and Utility: Restricted	P	P	P	P
8300.50	Lodging Accommodations: Campgrounds		SE		
8300.51	Lodging Accommodations: Commercial Lodging	P <sup>3</sup>	P <sup>3</sup>		
8300.52	Medical Services: General	P	P	P	
8300.53	Medical Services: Restricted	P	P	P	
8450.1	Mining and Processing: Minerals and Raw Material	SP	SP	SP	SP

8450.2	Mining and Processing: Oil and Gas	V	V	V	V
8250.15	Moderate Impact Institutional	SP	SP	SP	SP
8250.16	Murals	C	C	C	C
8300.54	Outdoor Sales and Display, and Outdoor Storage		C	C	C
8300.55	Participant Recreation and Entertainment: Indoor	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8300.56	Participant Recreation and Entertainment: Outdoor		SP <sup>3</sup>	SP <sup>3</sup>	SP <sup>3</sup>
8300.57	Payday or Title Loan Agencies	P	P	P	P
8300.58	Personal Services: General	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8300.59	Personal Services: Restricted	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8300.60	Personal Storage		P	P	P
8400.1	Railroad Facilities: Refuse, Biomedical Waste and Hazardous Waste			SP	SP
8150.7.1	Rainwater Harvesting	C	C	C	C
8350.11	Recycling Collection and Processing Facilities		P	P	P
8300.61	Repair Services: Consumer		P	P	P
8350.10	Research and Development	P	P	P	P
8300.62	Research Services: Restricted	P	P	P	P
8250.17	Residential Facilities for Dependent and Neglected Children	SP	SP	SP	SP
8250.18	Residential Facilities for Drug or Alcohol Treatment Centers	SP	SP	SP	SP
8300.63	Retail Sales and Services: General		P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8300.64	Retail Sales and Services: Outdoor Swap Meet			SP	SP
8300.65	Retail Sales and Services: Pawn Shops		P	P	P
8150.7.2	Roof Garden	C	C	C	C
8350.12	Sanitary Landfills	SP	SP	SP	SP
8350.13	Scrap Operations			SP <sup>1</sup>	SP <sup>2</sup>
8300.66	Signs: Non-Accessory		C	P	P
8300.67	Spectator Sports and Entertainment: General		P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8300.68	Spectator Sports and Entertainment: High Impact	SP <sup>3</sup>	SP <sup>3</sup>	SP <sup>3</sup>	SP <sup>3</sup>
8300.69	Spectator Sports and Entertainment: Restricted		P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>
8350.14	Stockyards		SP	SP	SP
8250.19	Transitional Mental Health Residential Facilities	SP	SP	SP	SP
8400.2	Transportation Facilities: Aircraft	SP	SP	SP	SP
8400.3	Transportation Facilities: Surface, Passenger	SP	SP	SP	SP

8400.4	Transportation Facilities: Surface, Restricted			P	P
8400.5	Transportation Facilities: Surface Goods, General				P
8450.4	Underground Injection Wells: Enhanced Recovery Wells	SE	SE	SE	SE
8450.3	Underground Injection Wells: Disposal Wells			SE	SE
8150.9	Urban Farm	C	C	C	C
8350.15	Wholesaling, Storage and Distribution: General				P
8350.16	Wholesaling, Storage and Distribution: Restricted	P	P	P	P

**FOOTNOTES: TABLE 6250.1**

<sup>1</sup> No outside storage and/or activity.

<sup>2</sup> Outside storage and/or activity permitted.

<sup>3</sup> 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.

<sup>4</sup> 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.

\*\*\*

**SECTION 4** That Chapter 59, Article VII, Section 7150, Table 7150.2, Section 7200, Table 7200.1, Section 7300, and Table 7300.1 of the Oklahoma City Municipal Code 2010, are hereby amended to read as follows:

**ARTICLE VII. SPECIAL PURPOSE DISTRICTS**

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§ 59-7150. BRICKTOWN CORE DEVELOPMENT DISTRICT.

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§59-7150.1 Bricktown Core Development District.

\*\*\*

D. *Use Regulations.*

(1) Uses permitted in the BC District can be found in Table 7150.2. Unless allowed conditionally as annotated in Table 7150.2, 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, may apply for a Special Permit 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.

(2) Accessory Uses and Structures. The following accessory uses and structures are permitted subject to the regulations in Section 59-12200, (Standards for Accessory Buildings, Structures, and Uses) of this chapter and the other applicable regulations and guidelines of this section:

- (a) General accessory buildings.
- (b) Fences.
- (c) Accessory signs, subject to sign regulations in Chapter 3 and the guidelines contained in "Sign Design Guidelines for Bricktown, Oklahoma City" maintained online or in the office of the City Clerk.
- (d) Home Occupations.
- (e) Swimming Pools.

\*\*\*

**TABLE 7150.2: BC BRICKTOWN CORE DEVELOPMENT DISTRICT USE REGULATIONS**

**KEY:**

**P = Permitted // C = Conditional // SE = Special Exception // V = Variance // ~~A=ABC~~**

**SP = Special Permit**

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

USE		BC DISTRICT
8350.2	Aboveground Flammable Liquid Storage: Restricted	SE
8300.1	Administrative and Professional Offices	P
8300.2	Adult Day Care	SE
8300.5	Alcoholic Beverage Retail Sales	P

8300.11	Animal Sales & Services: Kennels & Veterinary, Restricted	P
8300.12	Automotive: Parking Garages	P
8300.13	Automotive: Parking Lots, as a Principal Use	P
8300.14	Automotive & Equipment: Cleaning & Repairs, Light Equipment	C
8300.23	Building Maintenance Services	P
8300.24	Business Support Services	P
8300.25	Child Care Centers	P
8300.27	Communications Services: Antennas	C
8300.29	Communications Services: Limited	P
8250.2	Community Recreation: General	P
8250.3	Community Recreation: Property Owners Association	P
8250.4	Community Recreation: Restricted	P
8300.32	Convenience Sales & Personal Services	P <sup>1</sup>
8250.5	Cultural Exhibits	P <sup>1</sup>
8350.3	Custom Manufacturing	P
8300.33	Drinking Establishment: Sitdown, Alcohol Permitted	A <u>SP</u>
8200.2	Dwelling Units and Mixed Use	P
8300.34	Eating Establishment: Drive-In	P
8300.35	Eating Establishment: Fast Food	P
8300.37	Eating Establishment: Sitdown <sup>2</sup> , <del>Alcohol Not Permitted</del>	P
8300.38	Eating Establishment: Sitdown, Alcohol Permitted	P
8300.39	Eating Establishment: Sitdown, Limited Alcohol Permitted	P
8300.41	Food and Beverage Retail Sales	P
8300.46	Gasoline Sales, Small: Restricted	P
8200.3	Group Residential	P
8150.7	Horticulture	P
8300.48	Laundry Services	P
8250.11	Library Service & Community Centers	P
8350.8	Light Industrial	P
8250.12	Light Public Protection & Utility: General	P
8250.13	Light Public Protection & Utility: Restricted	P
8200.4	Live Work Units	P

8300.49	Lodging Accommodations: Bed and Breakfast	P <sup>1</sup>
8300.51	Lodging Accommodations: Commercial Lodging	P <sup>1</sup>
8300.52	Medical Services: General	P
8300.53	Medical Services: Restricted	P
8450.2	Mining and Processing: Oil and Gas	V
8250.15	Moderate Impact Institutional	SE
8200.12	Multiple-Family Residential	P
8250.16	Murals	C
8300.55	Participant Recreation & Entertainment: Indoor	P <sup>1</sup>
8300.56	Participant Recreation & Entertainment: Outdoor	P <sup>1</sup>
8300.58	Personal Services: General	P <sup>1</sup>
8300.59	Personal Services: Restricted	P <sup>1</sup>
8300.61	Repair Services: Consumer	P
8300.62	Research Services: Restricted	P
8300.63	Retail Sales & Service: General	P <sup>1</sup>
8200.14	Single-Family Residential	P
8300.67	Spectator Sports & Entertainment: General	P <sup>1</sup>
8300.68	Spectator Sports & Entertainment: High Impact	P <sup>1</sup>
8300.69	Spectator Sports & Entertainment: Restricted	P <sup>1</sup>
8200.15	Three- & Four-Family Residential	P
8400.3	Transportation Facilities: Surface Passenger	P
8200.16	Two-Family Residential	P
8350.16	Wholesaling, Storage & Distribution: Restricted	P
8450.4	Underground Injection Wells: Enhanced Recovery Wells	SE

**FOOTNOTES: TABLE 7150.2**

<sup>1</sup> 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 condition below. If the condition 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.

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

<sup>2</sup> 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.

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## **§ 59-7200. DOWNTOWN DESIGN DISTRICTS.**

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### **§59-7200.1 Downtown Design districts (DBD, DTD-1, DTD-2).**

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#### *E. Use Regulations.*

(1) Table 7200.1 lists the uses allowed in the Downtown Design Districts. Unless allowed conditionally as annotated in Table 7200.1, 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 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.

(2) *Accessory Uses.* Refer to Table 12200.1: Permitted Accessory Structures and Uses.

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**TABLE 7200.1: DOWNTOWN DESIGN DISTRICT USES 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		DBD	DTD-1 <sup>1</sup>	DTD-2
8350.2	Aboveground Flammable Liquid Storage: Restricted	SE	SE	SE
8300.1	Administrative and Professional Offices	P	P	P
8300.2	Adult Day Care Facilities	P	P	P
8300.3	Adult Entertainment Uses	C		
8300.5	Alcoholic Beverage Retail Sales	P	P <sup>1</sup>	P
8300.8	Animal Sales and Services: Grooming	P	P <sup>1</sup>	P
8300.11	Animal Sales and Services: Kennel and Veterinary,	P	P <sup>1</sup>	P

	Restricted			
8250.1	Artistic Graphics	C	C <sup>1</sup>	C
8300.12	Automotive: Parking Garages	P	P <sup>1</sup>	P
8300.13	Automotive: Parking Lots, as a Principal Use	P	P	P
8300.14	Automotive and Equipment: Cleaning and Repairs, Light Equipment	C	C	P
8300.18	Automotive and Equipment: Automobile Dealerships and Malls	P	P <sup>1</sup>	P
8300.21	Automotive and Equipment: Storage		SP	SP
8300.22	Bingo Parlors	P <sup>2</sup>	P <sup>1, 2</sup>	P <sup>2</sup>
8300.23	Building Maintenance Services	P	P <sup>1</sup>	P
8300.24	Business Support Services	P	P <sup>1</sup>	P
8300.25	Child Care Centers	P	P	P
8300.26	Commercial Blood Centers	SP	SP	SP
8300.27	Communications Services: Antennas	C	C	C
8300.28	Communications Services: Broadcast Towers	C	C	C
8300.29	Communications Services: Limited	P	P <sup>1</sup>	P
8300.30	Communications Services: Telecommunication Towers	C	C	C
8250.2	Community Recreation: General	P	P <sup>1</sup>	P
8250.3	Community Recreation: Property Owners Association	P	P <sup>1</sup>	P
8250.4	Community Recreation: Restricted	P	P	P
8300.31	Construction Sales and Services			P
8200.1	Congregate Care Housing and Convalescent Homes	P	P	P
8300.32	Convenience Sales and Personal Services	P	P	P
8250.5	Cultural Exhibits	P <sup>2</sup>	P <sup>1, 2</sup>	P <sup>2</sup>
8350.3	Custom Manufacturing	P	P <sup>1</sup>	P
8250.6	Domestic Violence Shelters	SP	SP	SP
8300.33	Drinking Establishments: Sitdown, Alcohol Permitted	<del>A</del> <u>SP</u>	<del>A</del> <u>SP</u>	<del>A</del> <u>SP</u>
8200.2	Dwelling Units And Mixed Use	P	P	P
8300.34	Eating Establishments: Drive-In	P	P <sup>1</sup>	P
8300.35	Eating Establishments: Fast Food	P	P <sup>1</sup>	P
8300.36	Eating Establishments: Fast Food, With Drive-Thru Order Window	P	P <sup>1</sup>	P

8300.37	Eating Establishments: Sitdown <sup>3</sup> , <del>Alcohol Not Permitted</del>	P	P <sup>1</sup>	P
8300.38	Eating Establishments: Sitdown, Alcohol Permitted	P	P <sup>1</sup>	P
8300.39	Eating Establishments: Sitdown, Limited Alcohol Permitted	P	P <sup>1</sup>	P
8250.7	Emergency Shelters and Feeding Sites	SP	SP	SP
8300.41	Food and Beverage Retail Sales	P <sup>2</sup>	P <sup>1, 2</sup>	P <sup>2</sup>
8250.8	Forced Detention or Correction Facilities	SP	SP	SP
8300.42	Funeral and Interment Services: Cremating	P	SP	SP
8300.44	Funeral and Interment Services: Undertaking	P	SP	SP
8300.46	Gasoline Sales. Small: Restricted	P	P <sup>1</sup>	P
8200.3	Group Residential	P	P <sup>1</sup>	P
8250.10	High Impact Institutional	P	P <sup>1</sup>	P
8150.7	Horticulture	SP	SP	P
8350.7	Moderate Industrial			SP
8300.48	Laundry Services	P	P <sup>1</sup>	P
8250.11	Library Services and Community Centers	P	P <sup>1</sup>	P
8350.8	Light Industrial	SP	P <sup>1</sup>	P
8250.12	Light Public Protection and Utility: General	P	P <sup>1</sup>	P
8250.13	Light Public Protection and Utility: Restricted	P	P <sup>1</sup>	P
8200.4	Live/Work Units	P	P	P
8300.51	Lodging Accommodations: Commercial Lodging	P	P <sup>1</sup>	P
8250.14	Low Impact Institutional: Neighborhood-Related	P	P	P
8200.5	Low Impact Institutional: Residential-Oriented	P	P	P
8300.52	Medical Services: General	P	P <sup>1</sup>	P
8300.53	Medical Services: Restricted	P	P <sup>1</sup>	P
8450.2	Mining and Processing: Oil and Gas	V	V	V
8250.15	Moderate Impact Institutional	P	P <sup>1</sup>	P
8200.12	Multiple-Family Residential	P	P	P
8250.16	Murals	C	C	C
8300.54	Outdoor Sales and Display, and Outdoor Storage	C	C	C
8300.55	Participant Recreation and Entertainment: Indoor	P <sup>2</sup>	P <sup>1, 2</sup>	P <sup>2</sup>
8300.56	Participant Recreation and Entertainment: Outdoor	SP <sup>2</sup>	SP <sup>2</sup>	P <sup>2</sup>
8300.57	Payday or Title Loan Agencies	P	P <sup>1</sup>	P

8300.58	Personal Services: General	P <sup>2</sup>	P <sup>1,2</sup>	P <sup>2</sup>
8300.59	Personal Services: Restricted	P <sup>2</sup>	P <sup>1, 2</sup>	P <sup>2</sup>
8300.60	Personal Storage	P	P <sup>1</sup>	P
8300.61	Repair Services: Consumer	P	P <sup>1</sup>	P
8300.62	Research Services: Restricted	P	P <sup>1</sup>	P
8250.17	Residential Facilities for Dependent and Neglected Children	SP	SP	SP
8250.18	Residential Facilities for Drug or Alcohol Treatment Center	SP	SP	SP
8300.63	Retail Sales and Services: General	P <sup>2</sup>	P <sup>1, 2</sup>	P <sup>2</sup>
8300.66	Signs: Non-Accessory	C		
8200.14	Single-Family Residential	P	P	P
8300.67	Spectator Sports and Entertainment: General	P <sup>2</sup>	SP <sup>2</sup>	P <sup>2</sup>
8300.68	Spectator Sports and Entertainment: High Impact	SP <sup>2</sup>	SP <sup>2</sup>	SP <sup>2</sup>
8300.69	Spectator Sports and Entertainment: Restricted	P <sup>2</sup>	P <sup>1, 2</sup>	P <sup>2</sup>
8200.15	Three- and Four-Family Residential	P	P	P
8250.19	Transitional Mental Health Residential Facilities	SP	SP	SP
8200.16	Two-Family Residential	P	P	P
8450.4	Underground Injection Wells: Enhanced Recovery Wells	SE	SE	SE
8350.16	Wholesaling, Storage and Distribution: Restricted	SP	P <sup>1</sup>	P

**FOOTNOTES: TABLE 7200.1**

<sup>1</sup> There are specific areas of the DTD-1, as defined in Section 59-7200.3.B(1)(a) and (b), where the uses noted are not permitted. See Table 7200.3.

<sup>2</sup> 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 condition below. If the condition 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.

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

<sup>3</sup> 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.

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**§ 59-7300. NEIGHBORHOOD CONSERVATION DISTRICT.**

\*\*\*

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

\*\*\*

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.

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**TABLE 7300.1: NC NEIGHBORHOOD CONSERVATION DISTRICT USE REGULATIONS**

KEY:

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

~~A = ABC Overlay~~ // V = Variance

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

USE		NC DISTRICT - TRACT				
		1	2	3	4G	5
8350.1	Aboveground Flammable Liquid Storage: General	SE	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 <sup>2</sup>	P <sup>2</sup>
8350.3	Custom Manufacturing				P	P
8250.6	Domestic Violence Shelters	SP	SP	SP	SP	SP
8300.36	Eating Establishment: Drive-In				P <sup>2</sup>	P <sup>2</sup>
8300.37	Eating Establishment: Sitdown <sup>3</sup> , Alcohol Not Permitted				P <sup>2</sup>	P <sup>2</sup>
8300.38	Eating Establishment: Sitdown, Alcohol Permitted				<del>A</del> <u>C</u>	<del>A</del> <u>C</u>
8300.39	Eating Establishment: Sitdown, Limited Alcohol Permitted				<del>A</del> <u>P</u>	<del>A</del> <u>P</u>
8250.7	Emergency Shelter and Feeding Sites	SP	SP	SP	SP	SP
8300.41	Food and Beverage Retail Sales				P <sup>2</sup>	P <sup>2</sup>
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		
8300.52	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
8300.55	Participant Recreation and Entertainment: Indoor				P <sup>2</sup>	P <sup>2</sup>
8300.56	Participant Recreation and Entertainment: Outdoor				SE <sup>2</sup>	SE <sup>2</sup>
8300.58	Personal Services: General				P <sup>2</sup>	P <sup>2</sup>
8300.59	Personal Services: Restricted				P <sup>2</sup>	P <sup>2</sup>
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 <sup>1, 2</sup>	P <sup>1, 2</sup>
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 <sup>2</sup>	
8300.68	Spectator Sports and Entertainment: High Impact	SP <sup>2</sup>	SP <sup>2</sup>	SP <sup>2</sup>	SP <sup>2</sup>	
8300.69	Spectator Sports and Entertainment: Restricted				P <sup>2</sup>	P <sup>2</sup>
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**

<sup>1</sup> 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.

<sup>2</sup> 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.
- <sup>3</sup> 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.

\*\*\*

**SECTION 5.** That Chapter 59, Article VIII, Sections 8300.5, 8300.33, 8300.37, 8300.38, 8300.39, 8350.41, 8350.6, and 8350.8 of the Oklahoma City Municipal Code 2010, are hereby amended to read as follows:

## **ARTICLE VIII. - USE UNIT CLASSIFICATIONS**

\*\*\*

### **§ 59-8300. - COMMERCIAL AND OFFICE USE UNIT CLASSIFICATIONS.**

\*\*\*

**8300.5.** *Alcoholic Beverage Retail Sales.* Establishments or places of business primarily engaged in the retail sale of ~~prepared food or beverages for home consumption, including~~ alcoholic beverages. Typical uses include liquor stores.

\*\*\*

**8300.33.** *Drinking Establishments: Sitdown, Alcohol Permitted.* Establishments or places of business where customers are seated and served and which are primarily engaged in the sale, mixing or dispensing of ~~beverages containing more than five tenths percent alcohol by volume~~ of alcoholic beverages as defined by State law for consumption on the premises. Typical uses include a tavern or private club with minimal or no kitchen facilities and little or no food items served.

\*\*\*

**8300.37.** *Eating Establishments: Sitdown, ~~Alcohol Not Permitted~~.* Establishments or places of business where customers are seated and served, and that are primarily engaged in the sale of prepared foods and beverages for on-premises consumption. They are located at high capacity/high volume sites that are easily accessed by vehicles and pedestrians. Typical uses include restaurants, short-order eating places, cafeterias, and coffee shops, ~~where liquor, beer, wine or spirits are not served or sold.~~

**8300.38.** *Eating Establishments: Sitdown, Alcohol Permitted.* Establishments or places of business where customers are seated and served and are engaged in the sale, mixing or dispensing of alcoholic beverages as defined by State law for on-premises consumption ~~containing more than five tenths percent alcohol by volume~~ as accessory to the primary purpose of a restaurant operation. Typical uses include restaurants and short order eating places, ~~as well as bottle clubs for such establishments. Annual receipts from the sale of permitted beverages containing alcohol may not exceed 50 percent of the combined total receipts from food and beverages.~~

**8300.39.** *Eating Establishments: Sitdown, Limited Alcohol Permitted.* Establishments or places of business where customers are seated and served, and are engaged in the sale, ~~mixing~~ or dispensing of beer and wine beverages as defined by State law for on-premises consumption ~~containing more than five tenths percent alcohol and less than 14 percent alcohol by volume~~ as accessory to the primary purpose of a restaurant operation. Typical uses include restaurants and short order eating places, ~~with or without bottle clubs,~~ serving beer and wine. ~~Annual receipts from the sale of permitted beverages containing alcohol may not exceed 50 percent of the combined total receipts from food and beverages.~~

\*\*\*

**8300.41.** *Food and Beverage Retail Sales.* Establishments or places of business primarily engaged in the retail sale of food and ~~non-alcoholic~~ beverages for home consumption. Typical uses include grocery stores and delicatessens.

\*\*\*

## **59-8350. - INDUSTRIAL USE UNIT CLASSIFICATIONS.**

\*\*\*

**8350.6** *Industrial, Heavy.* Establishment engaged in the manufacturing, assembly, fabrication, packaging or other industrial processing of products, primarily from extracted or raw materials, and the bulk storage and handling of such products and materials, or an industrial establishment having potential to produce noise, dust, glare, odors or vibration beyond its property line(s). Typical uses include, but are not limited to:

- Processing and packaging of alcohol beverages.
- A brewery as defined by State Law, including taprooms.
- Chemical manufacturing.
- Stonework or concrete product manufacturing.
- Manufacturing of agricultural, construction or mining machinery.
- Motor vehicle manufacturing.
- Ship or boat construction.
- Permanent concrete/batch plant.

\*\*\*

**8350.8.** *Industrial, Light.* Establishment engaged in the indoor manufacturing, assembly, fabrication, packaging or other industrial processing of finished parts or products, primarily from previously prepared materials, or the indoor provision of industrial services, where there are few external effects on adjacent properties. This use includes, but is not limited to, a business engaged in the processing, fabrication, assembly, treatment or packaging of food, textile, leather, wood, paper, chemical, plastic or metal products, but does not include basic industrial processing from raw materials. ~~A micro-brewery producing no more than 15,000 barrels (465,000 gallons) per year~~ small brewery as defined by State Law, including taprooms, and a micro-distillery a.k.a. craft or designer distillery producing no more than 1,700 cases (4,041 gallons) per year shall be included in this use unit.

\*\*\*

**SECTION 6.** That Chapter 59, Article IX, Section 9350.26 is amended, and Sections 9350.25.1 and 9350.26.1 of the Oklahoma City Municipal Code 2010, are hereby established to read as follows:

## **ARTICLE IX. - USE STANDARDS**

\*\*\*

§ 59-9350. STANDARDS FOR SPECIFIC USES.

\*\*\*

**9350.25. Domestic Violence Shelters (59-8250.6).**

- A. The application shall address: a description of the type of program proposed, the number of participants that would be in the program at one time, the number of staff that would be associated with the program and their general duties, the type of supervision that will be provided for the participants in the program, the means to mitigate any impact upon the surrounding land uses from the operation of the program, and the behavior of the participants in the program.
- B. Staff in its report to the Planning Commission and the City Council shall identify other uses in the following use units within one mile of the proposed facility: other Domestic Violence Shelters (59-8250.6), Emergency Shelters and Feeding Sites (59-8250.7), Forced Detention or Correction Facilities (59-8250.8), Residential Facilities for Dependent and Neglected Children (59-8250.17), Residential Facilities for Drug or Alcohol Treatment Centers (59-8250.18), and Transitional Mental Health Residential Facilities (59-8250.19). Staff shall provide the appropriate data and information to aid in the deliberations of the Planning Commission and City Council.
- C. The inordinate concentration of these use units is discouraged and locations dispersed throughout the community are promoted. The City Council shall determine whether an inordinate concentration of these uses would result from establishment of an additional such use in the particular area. In determining whether an inordinate concentration would result in a negative impact to the surrounding community from approval of a particular application, the City Council shall consider all facts and circumstances relating to the application and areas surrounding the proposed site, including, but not limited to, the differences or similarities in existing uses among these use units and the compatibility or incompatibility of such uses in the particular area.

**9350.25.1 Drinking Establishments: Sitdown, Alcohol Permitted (59-8300.33).**

- A. Each use shall comply with all standards and provisions of the zoning district, unless specifically modified by this section.
- B. Any Drinking Establishment: Sitdown Alcohol Permitted use within the O-2 General Office District must meet the specific use standards for an eating establishment set forth in 9350.26.
- C. Location Requirements
  - (1) No drinking establishment use shall be allowed to locate within 300 feet of any church property primarily and regularly used for

worship services and religious activities, 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 37A O.S. § 2-139. Distances shall be measured from the nearest property line of the public or private school, or church to the nearest perimeter wall of any such drinking establishment.

(2) If food or beverages are consumed in an outdoor seating/activity area at any time 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 property line of the residential use.

D. *Site Plan Requirements.* In addition to the Special Permit site plan requirements as specified in 59-4250.2.D., the location and dimensions of the area(s) designated for the sales and consumption of alcoholic beverages shall be shown on the site plan.

E. *Notification Requirements.* Applications for a Special Permit allowing the *Drinking Establishments: Sitdown, Alcohol Permitted (8300.33)* use shall be accompanied by a list of all owners of property within 600 feet of the exterior boundary of the subject property upon which the special permit is requested. In addition, the 600-foot radius shall be extended by increments of 100 lineal feet until the list contains a minimum of ten individual property owners of ten separate parcels.

F. *Revocation of Special Permit for Drinking Establishments: Sitdown, Alcohol Permitted (8300.33).* A Special Permit may be revoked as specified in 59-4250.2.F.

G. *Expiration of Special Permit for Drinking Establishments: Sitdown, Alcohol Permitted (8300.33).* In addition to the conditions for expiration of a Special Permit as specified in 59-4250.2.F., a Special Permit for the use *Drinking Establishments: Sitdown, Alcohol Permitted (8300.33)* will expire if:

(1) For a period of 12 months or more any of the following occurs:

(a) The City license for the sale of alcoholic beverages is not renewed when due.

(b) The occupation tax relating to the sale of alcoholic beverages is not paid when due.

(c) The sale or consumption of alcoholic beverages on the premises ceases.

(2) The State revokes or does not renew the operator's license.

H. Nonconforming Uses

- (1) All establishments legally established under an Alcoholic Beverage Consumption Overlay District (ABC-3) shall continue to operate in accordance with the zoning overlay unless an application to remove the overlay is approved by the City Council.
- (2) All establishments legally established prior to May 9, 1985 shall be considered legal nonconforming. If such a use was approved as a special permit or special exception, and fails to continue operating in accordance with that approval, then the use will be considered illegal.
  - (a) Legal nonconformities will cease if:
    - (1) For a period of six months or more, any of the following occurs:
      - i. The City license for the sale of alcoholic beverages is not renewed when due.
      - ii. The occupation tax relating to the sale of alcoholic beverages is not paid when due.
      - iii. The sale and consumption of alcoholic beverages on the premises ceases.
    - (2) The use of the premises is changed to a use other than one relating to or authorizing the on-site consumption of alcoholic beverages.
    - (3) The original special permit or special exception is revoked.
    - (4) The State revokes or does not renew the operator's license.

**9350.26. *Eating Establishments: Sitdown, ~~Alcohol Not Permitted~~ (59-8300.37), and Eating Establishments: Sitdown, Limited Alcohol Permitted (59-8300.39).***

- A. Each use shall comply with all standards and provisions of the zoning district, unless specifically modified by this section.
- B. The facilities shall be located entirely within a principal building as an accessory use and shall have access from an interior lobby, hallway or interior courtyard, provided that one major exterior entrance shall be permitted.
- C. The facilities shall not collectively occupy more than ten percent of the gross floor area of the entire project.

**9350.26.1 *Eating Establishments: Sitdown, Alcohol Permitted (59-8300.38).***

- A. Each use shall comply with all standards and provisions of the zoning district, unless specifically modified by this section.

- B. In addition to the conditions contained within this section, any *Eating Establishment: Sitdown, Alcohol Permitted* use within the O-2 General Office District must meet the specific use standards for an eating establishment set forth in 9350.26.
- C. Any existing Planned Unit Development or Simplified Planned Unit Development permitting 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 existing PUD/SPUD specifically prohibits said uses.
- D. Exterior lighting shall be installed and arranged to minimize glare on adjacent properties and streets, and be in compliance with the lighting requirements in Section 59-12350.
- E. 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 property line of the residential use.
- F. The area allocated to the sale and consumption of alcoholic beverages shall not exceed 15,000 square feet.
- G. Any *Eating Establishments: Sitdown, Alcohol Permitted* use which does not meet the conditions outlined herein shall be required to obtain a Special Permit.
- H. *Nonconforming Uses*
- (1) All establishments legally established under an Alcoholic Beverage Consumption Overlay District (ABC-2) shall continue to operate in accordance with the zoning overlay unless an application to remove the overlay is approved by the City Council.
- (2) All establishments legally established prior to May 9, 1985 shall be considered legal nonconforming. If such a use was approved as a special permit or special exception, and fails to continue operating in accordance with that approval, then the use will be considered illegal.
- (a) Legal nonconformities will cease if:
- (1) For a period of six months or more, any of the following occurs:
- i. The City license for the sale of alcoholic beverages is not renewed when due.

- ii. The occupation tax relating to the sale of alcoholic beverages is not paid when due.
- iii. The sale and consumption of alcoholic beverages on the premises ceases.
- (2) The use of the premises is changed to a use other than one relating to or authorizing the on-site consumption of alcoholic beverages.
- (3) The original special permit or special exception is revoked.
- (4) The State revokes or does not renew the operator's license.

\*\*\*

**SECTION 7.** That Chapter 59, Article XIII, Section 13100, of the Oklahoma City Municipal Code 2010, is hereby amended to read as follows:

### **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
- ~~59-13200 Alcoholic Beverage Consumption 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.

**\*\*\***

**SECTION 8.** That Chapter 59, Article XIII, Sections 13200, 13200.1, 13200.2, 13200.3, 13200.4, and 13200.5 of the Oklahoma City Municipal Code 2010, are hereby repealed.

\* \* \*

**SECTION 9.** That Chapter 60, Title 59, Article VII, Section 13 of the Oklahoma City Municipal Code 2010, is hereby amended to read as follows:

## **CHAPTER 60**

### **GENERAL SCHEDULE OF FEES**

\* \* \*

## **ARTICLE VII. ADMINISTRATION**

\* \* \*

**§ 60-59-13. - Special zoning district applications.**

Notice fees are applicable to all categories and are payable at the time the application is received.

(a) *Category I:*

(1) community unit plan amendment (CUP), cluster housing (CH, separate application), planned unit development with master development plan map (PUD), special permit (SP) .....\$2,700.00

(2) simplified planned unit development (SPUD) .....1,800.00

(3) planned unit development or simplified planned unit development extension .....125.00

(4) planned unit development or simplified planned unit development site plan review .....500.00

(b) *Category II:* Historical Preservation District (HP), Urban Conservation District (UC) .....2,390.00

(c) *Category III:* Historical Landmark District (HL), cluster housing (CH), companion application .....500.00

~~(d) *Category IV:* Alcoholic Beverage Consumption Restaurant With Limited Alcohol District (ABC-1) .....1,500.00~~

~~(e) *Category V:* Alcoholic Beverage Consumption Restaurant With Alcohol District (ABC-2) .....1,600.00~~

~~(f) *Category VI:* Alcoholic Beverage Consumption Club With Alcohol District (ABC-3) .....1,600.00~~

~~(d)-(g)~~ *Category ~~III~~ IV:* Manufactured Home Overlay District .....1,100.00

\* \* \*

**INTRODUCED AND READ** in the open meeting of the Council of The City of Oklahoma City, Oklahoma, this 3rd day of July, 2018.

**PASSED** by the Council of The City of Oklahoma City, Oklahoma on this 31st day of July, 2018.

**SIGNED** by the Mayor of The City of Oklahoma City, Oklahoma on this  
\_\_31st\_\_ day of \_\_July\_\_, 2018.

**ATTEST:**

Frances Kersey

CITY CLERK

s/b David Holt

MAYOR