



## OKC Development Codes Update

### **CODE UPDATE USE REGULATIONS REVIEW**

How to make comments on a Proposed Use Regulation:

Find the Use Regulation in alphabetical order here and leave your comment online:

<https://online.encodeplus.com/regs/oklahomacity-ok/doc-viewer.aspx#secid--1>

alternatively, send comments with the Use Regulation number to  
[codeupdate@okc.gov](mailto:codeupdate@okc.gov) or [marilyn.allen@okc.gov](mailto:marilyn.allen@okc.gov)



## ARTICLE VI USE REGULATIONS

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Art. IX

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**Purpose:** *This article establishes regulations for individual uses. Some land uses exhibit unique characteristics that necessitate the application of special standards to coexist with adjacent and nearby uses, and the neighborhood or land use areas in which they are placed. Other land uses require special permissions (such as relief from regulatory requirements or permit streamlining) to comply with state or federal law, or to accomplish important public policies. These regulations supplement the dimensional standards in each zone, the development standards (Art. III), and any other applicable requirements of this Chapter. All persons establishing a use or constructing a building for that use should familiarize themselves this article, the zone regulations (Article II), and the development standards (Article III).*

### Sec. 59-102 Generally

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- A. **Applicability.** Section 59-22 establishes the zones where individual uses are allowed, and how those uses are allowed (i.e., by right, as a specific use, etc.) This article establishes additional regulations or permissions for those uses, and the uses designated in each section of this article must comply with the applicable regulations. The Use Tables may refer specifically to sections of this article for as an aid to the reader.
- B. **Zones.** Unless otherwise provided, the regulations established in this article apply to all zones where the applicable use is allowed. Since they are uniform in application, they are listed here to avoid repetition in each district.
- C. **Additional Regulations.** In addition to the regulations in this article, a property may be subject to other regulations such as plat restrictions, deed restrictions, declarations of covenants and restrictions, and platted setback lines that may further regulate the use or development of a parcel.
- D. **Dimensional Standards.** A use subject to a section of this Article is subject to the dimensional and development regulations of the zone where it is located, except as modified by that section. Unless otherwise provided, any dimensional standards (such as height, setbacks, or coverage) for a use in this Article supersede the dimensional standards in the applicable zone, to the extent that they are inconsistent.

### Sec. 59-103 Aboveground Flammable Liquid Storage

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- A. **Applicability.** This section applies Aboveground Flammable Liquid Storage ("AFLS") uses. For purposes of this section, AFLS is divided into **General** and **Restricted** categories as follows:



**Table 59-103.2 AFLS Categories**

Factor	General	Restricted
<b>Storage tank capacity (maximum)</b>	No maximum (may exceed 10,000 gallons)	10,000 gallons
<b>Type of storage</b>	Bulk storage of fuel	Must be used in association with the dispensing of fuel into a fleet of vehicles owned by the property owner or a lessee where the tank(s) is located, with the exception of propane dispensing tanks.
<b>Typical Uses</b>	<ul style="list-style-type: none"> <li>storage of flammable liquids prior to use, while being used, or prior to further distribution in commerce (reference: 40 C.F.R § 112.2 (“bulk storage container”),</li> <li>dispensing of flammable or combustible liquids or gases into smaller containers or for use in industrial processes, and</li> <li>tank farms not associated with a petroleum refinery on the site.</li> </ul>	Fuel storage tanks for: private business fleets, aircraft, construction sales, telecommunications and electric stations backup generators and propane dispensing tanks 500 gallons or greater

#### B. Generally

1. All above ground flammable liquid or natural gases storage must meet all requirements of the Oklahoma City Fire Department plus all state and federal air and water quality and/or protection standards.
2. Storage is limited to Class I and II rated fuels.

C. **Fencing.** A chain-link fence or noncombustible wall eight feet in height from finished grade shall be provided around the use.

D. **Warning Signs.** Signs warning of the potential hazard, no less than four square feet in area, shall be posted along the fence at no less than 200-foot intervals.

E. **Dimensional Standards.** Lot area and setbacks are as follows:

**Table 59-103.2 AFLS Dimensional Standards**

Standard	Type of Aboveground Flammable Liquid Storage Use	
	General	Restricted
<b>Lot Area (minimum)</b>	5 acres	2.5 acres
<b>Setbacks for aboveground storage tanks (minimum)</b>		
<b>From Residential Zone or Use* (not applicable to an on-site caretaker unit)</b>	1,000 feet	N/A
<b>From lot line</b>	100 feet <sup>[1]</sup>	100 feet
<b>From occupied buildings</b>	N/A	100 feet
<b>Setbacks for protected tanks meeting Fire Marshal criteria (minimum)</b>		
<b>From zones other than Employment or Industrial</b>	N/A	100 feet
<b>From lot line</b>	N/A	50 feet
<b>From occupied buildings</b>	N/A	50 feet

<sup>[1]</sup> Or greater, if determined as a condition of Specific Use approval. N/A = not applicable.

F. **Aboveground Flammable Liquid Storage: General.** The following apply to Aboveground Flammable Liquid Storage: General:



1. The design, installation, and maintenance of the storage tank(s) must comply with the City Fire Code and shall require Fire Marshal approval.
2. Diking must be constructed to a minimum height for containment of complete spillage from the largest tank(s) around any storage area.
2. The General level of this use may only be considered for approval within a Heavy Industrial zone.

**G. Aboveground Flammable Liquid Storage: Restricted.** The following apply to Aboveground Flammable Liquid Storage: Restricted:

1. The design, installation, and maintenance of the storage tank(s) must comply with the City Fire Code and shall require Fire Marshal approval.
2. The dispensing of material contained within the tank is prohibited for sales. The material may be dispensed into commercial or business vehicles, which must be owned or leased by the tank's owner.
3. Secondary containment must be provided.

### **Sec. 59-104 Accessory Dwelling (prior to city council adoption)**

**Purpose.** This section allows accessory *Residential Uses* (ADs) on lots that allow detached *Residential Uses* and, in certain cases, within commercial and mixed-use developments, to:

- Expand the City's supply of housing for all income levels by increasing choices for residents of all ages including young professionals, students, the elderly, and small families.
- Improve flexibility by offering independent living areas for family members, allowing seniors to age in place as they require more care, and allowing extended families to stay near each other while maintaining privacy.
- Improve infrastructure efficiency by providing housing where infrastructure is in place and encouraging investment in existing neighborhoods.
- Providing economic benefits to homeowners by enabling a source of additional rental income and providing more affordable options for intergenerational household needs.

**A. Applicability**

1. This section applies to any Accessory Dwelling (AD).
2. Types of ADs include:
  - a. Detached. A detached AD is an independent structure or a Dwelling above or beside a detached garage.
  - b. Attached. An attached AD is attached to and has a separate exterior entrance from the Principal Dwelling.
  - c. Internal. An attached Accessory Dwelling that does not have a separate entrance from the Principal Dwelling.
3. For the purposes of this Section, a Principal Dwelling is the Dwelling closest to the street and constitutes the Primary use of a parcel.
4. This use shall not be permitted within a site zoned prior to the approval date of this chapter as a SPUD or PUD where the use was not specifically permitted.

**B. Allowed Locations.** See Use Table (Sec. 59-22). This use shall not be permitted within a Historic Landmark Overlay District unless the use has been or is permitted in a SPUD or PUD zoning.

**C. Review Process.**

1. *New Construction of Detached AD or Conversion of an Existing Structure to an ADU.* A Building Permit is required when a new AD is proposed on a lot, or an existing accessory structure is proposed to be converted to an AD, to ensure that the accessory dwelling meets all zoning, building, health, fire, and safety codes.
2. *Design Review.* Accessory Dwellings and exterior improvements to existing Accessory Dwellings located within base zones or zone overlays that require Certificate of Approvals, are subject to additional design standards of those base zones or zone overlays.

**D. General Standards**



1. *Maximum Number of ADs Per Lot.*

- a. For single-dwelling residential zoned districts, a maximum of one AD per parcel is permitted.
- b. For multi-dwelling, mixed-use, or commercial zones that allow residential uses, there is no limit to the number of ADs. However, ADs count toward standards for the lot for Density (max/du); setbacks, lot coverage and all other standards of the zone.

2. *Number of Households Allowed.* One household is permitted per AD.

3. *Separate Address.* The AD shall be addressed separately from the Principal Dwelling.

**E. Use Restrictions**

1. The AD shall not be sold separately or divided from the property ownership of the Principal [Residential Use](#).
2. Manufactured Dwellings, as defined in Section 59, and that do not comply with adopted residential building codes, are not allowed.
3. The AD may be used for Home Sharing in accordance with [Sec. 59-137](#). ADs shall only be used for Home Sharing as defined in 59-139 Standard for specific uses if the Accessory Dwelling is located on the same parcel as the host's primary residence and the host's primary residence is occupied by the host at the time of the rental. A special exception for home sharing must be obtained as described in 59-139 (formerly 59-9350.38.1.E.)

**F. Utility Connections.** The AD shall have water and wastewater connections as approved by the Utilities Department.

**G. Building Siting & Massing**

1. Building Area. The total floor area (Gross Floor Area) of an AD shall not exceed 950 square feet.
2. Lot Coverage. The zoning lot coverage requirement applies to all principal and accessory structures on a lot, including ground-floor accessory dwellings and garages with an accessory dwelling above.
3. Building Height. The maximum height of a Detached Accessory Dwelling shall not exceed the height of the Principal Dwelling or 25 feet, whichever is less, except that an above garage accessory dwelling existing on the effective date of this ordinance shall be allowed at its existing height, as defined in Section 59-30 Building Height.

**H. Location of AD on Parcel.**

1. Detached ADs shall be located in the rear yard and meet all setbacks regulations of the zone, except as follows:
  - a. If an existing home is located at the rear of a property, a new second Dwelling may be located on the front of a property. The new Dwelling is considered the Principal Dwelling and shall meet all setback, height, lot coverage and parking requirements of the zoning district. The existing home is then considered an Accessory Dwelling and is exempt from height and setback requirements of this section.
  - b. An existing accessory structure on a property that was constructed prior to the adoption of this section may be considered an Accessory Dwelling if the Accessory Dwelling use is allowed and the structure meets, or is improved to meet, all City building code requirements. the existing accessory structure is exempt from the setback requirements of the zoning district.
  - c. If no vehicular access is available to the AD, a minimum three-foot wide pathway shall be provided for emergency services to access the rear AD without having to egress through the primary dwelling. The access shall be from the front of the property or for corner lots may be from the side street.
2. *Required Distance Between Buildings.* A detached accessory [Residential Use](#) shall meet building code requirements for separation between main structures, as opposed to separation between accessory structures.

**I. Landscaping.** The addition of a detached Accessory Dwelling requires the addition of a minimum of one medium or greater size tree on the parcel, unless the applicant demonstrates that there are at least three healthy trees of at least a medium size or greater (see [Sec. V](#)) on the parcel.



J. **Parking.** See [Sec. 59-41](#) (Parking). In addition to the parking spaces required for the Principal [Residential Use](#), one parking space is required per AD, unless:

1. The paved street frontage from curb to curb is 26 feet or greater in width; or
2. The total living area (Gross Floor Area) of the AD is 600 square feet or less.

K. **Design**

1. *Porches, Balconies, Patios, and Deck Orientation.*

- a. Decks above the second floor are prohibited.
- b. Porches and patios (covered or uncovered) at the ground level are allowed.
- c. Second floor outdoor space, including but not limited to balconies and decks, shall:
  1. not exceed 100 square feet in area.
  2. be oriented toward the front property line except that balconies or decks located on corner parcels may be oriented toward the side street.
  3. include a sight-proof sidewall along the full depth of the deck or balcony that limits views into the nearest adjacent property.

2. *Materials.* Materials must meet the building design standards of the Zone and the City's adopted residential building codes.

3. *Windows.* Second floor window openings (except those facing the front property line or, when on corner lots, those facing the side street) must use opaque glass or film or have a windowsill height of at least 60 inches above the finished floor.

L. **Notice**

1. When a building permit application for a new permit accessory dwelling or the renovation of an existing accessory dwelling is submitted, the property owner shall place one Temporary sign on the property in according with Incidental Signs in Article XVI Sign Regulations.

- a. The sign may be freestanding, or wall mounted.
- b. The sign shall be placed within 30 days of the date that the building permit is filed and shall remain in place until a Certificate of Occupancy is issued.
- c. The sign shall include the property address, building permit number, and the website address and/or QR code that links to the online Citizen Access Portal permit search database.
- d. The sign is subject to impoundment or removal according to Article XVI Sign Regulations.

## **Sec. 59-105 Accessory Structures and Equipment**

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**Purpose:** *This section allows and accommodates accessory structures and equipment for uses permitted by this Chapter.*

A. **Applicability.** This section applies generally to Accessory Structures and Equipment that do not include dwellings. This section does not apply to accessory structures that are regulated separately by this Article. See other Sections for Accessory Dwellings, Carports, Satellite Dish Antennas, and Wind Energy Conversion Systems, Private.

B. **Accessory Structures, Generally.**

1. Accessory structures that are customarily associated with, and incidental and subordinate to a [Principal Use](#), are permitted and are subject to applicable City codes and the regulations of this section.
2. Site and building design features constructed to meet requirements of [Article III](#) (Development Standards), such as structures in useable open space ([Sec. 59-29](#)) or landscaping areas ([Sec. 59-36](#)) are considered allowed accessory structures in all zones.
3. Accessory structures are subject to the setback and dimensional standards of the Zone, except where specified in this section.





**C. Accessory Structures in a Residential Zone.** The following additional regulations apply to detached accessory structures in the RM-SD, UL-SD, UL-MR, UM-SD, UM-MD, and UH-MD Zones:

**1. Detached Accessory Structures**

- a. No detached Accessory Structure in a **UL, UM or UH** residential zone shall be constructed upon a lot until the construction of the Principal Building commences. Accessory Equipment may be constructed prior to the commencement of construction of the Principal Building.
- b. **Principal Building Required.** No detached Accessory Structure shall be used unless the principal building on the lot is also in use.
- c. In the **UL-SD and UM-SD** zones, detached Accessory Structures not on a permanent foundation may extend into the required rear and side yard, but shall be located at least three feet from any side or rear property line. All other structures must meet the side setback requirements of the Zone.
- d. **Dimensional and design standards** for detached accessory structures are set forth in **Table 59-105.1** (Accessory Structure Dimensional and Design Standards (Residential Zones)) below.
- e. **Carports.** See additional regulations in [Sec. 59-116](#).

59-105.1 Accessory Structure Dimensional and Design Standards (Residential Zones)				
	Z = subject to zone dimensional standards			
	Parcel Area			
	< 0.5 acre	0.5 - < 1.5 ac	1.5 to < 3 ac	≥ 3 ac
<b>Ground floor coverage of all accessory structures</b> (the total square footage of all lot coverage shall not exceed the maximum for the Zone)	1,000 sf	greater of 1,250 sf or 2.5% of lot size	2.5% of lot size	5% of lot size
<b>Height (max)</b>				
<b>Generally</b>	Height of primary structure on same lot, or a maximum of 25' whichever is more restrictive	Height of primary structure on same lot or a maximum of 25' whichever is more restrictive	Z	Z
<b>Overhead Door Height</b> (measured from finished grade to the top of the door opening)	9 feet	9 feet	12 feet	N/A
<b>Setback (min) or Location</b>				
<b>Location</b>	behind rear wall of principal structure	behind rear wall of principal structure	behind rear wall of principal structure	N/A
<b>Setback</b>	Z	25 foot side and rear (lots ≥ 1 acre only)	Z	25 foot side and rear
<b>Roof Design for detached Accessory Structures taller than 12 feet</b> (measured from finished grade to the highest point of the structure)				
<b>Roof Type</b>	Hip / Gable	Hip / Gable	Hip / Gable	N/A
<b>Roof Pitch (min)</b>	4:12	4:12	4:12	N/A
<b>Structures with walls constructed of exterior metal finish</b>				
<b>Height (max, measured to top of side wall fascia)</b>	10 feet	12 feet	14 feet	Z
<b>Finish for wall panels and trim items (min.)</b>	baked-on paint	baked-on paint	baked-on paint	N/A



**D. Accessory Structures in a Rural Zone, other than RM-SD.** The following additional regulations apply to the RL-AG, RL-AR, and RL-RC zones:

1. *Accessory Structures with No Principal Building.* Accessory structures (such as barns or other agriculturally related structures) are allowed and may be used without a Principal Building.
2. *Dimensional Standards.* Accessory structures that are not a part of the Principal Building shall comply with the development regulations of the RL-AG, RL-AR, and RL-RC zones.
3. *Additional setbacks for properties whose lot lines are greater than 600 feet from a fire hydrant.* Detached Accessory Structures shall be located a minimum of 50 feet from the Principal Dwelling. Swimming pools and underground fallout shelters are exempt from the 50-foot separation requirement.

**E. Accessory Structures in Commercial / Mixed-Use Zones.** The following additional regulations apply to the UL-NC, UL-MX, UM-MC, UM-MX, UH-MX, RD-RC, RD-AC, DD-CB, DD-DT, and DD-BC zones:

1. Accessory Structures are allowed in required rear or side yard setback areas. Patios, decks, retaining walls, driveways, guard houses, and flag poles are allowed in any setback area, subject to the Development Standards of the base zone or the Overlay District and to sight triangle requirements.
2. Where residential uses are permitted, the Dimensional and Design Standards for Residential Zones apply to accessory uses.

**F. Accessory Structures in Employment and Industrial Zones.** The following additional regulations apply to the EM-OT, EM-BP, EM-IP, and IH-II zones:

1. Accessory Structures are allowed in required rear or side yard setback areas. Patios, decks, retaining walls, driveways, guard houses, and flag poles are allowed in any setback area, subject to the Development Standards of the base zone or the Overlay District and to sight triangle requirements.
2. Dwelling quarters for any industrial facility for watchmen and caretakers employed on the premises are allowed. See Accessory Dwellings, [Sec. 59-106](#) for regulations.
3. Accessory structures not a part of the Principal Building(s) may be built in a side or rear yard as follows:
  - a. Accessory structures shall conform to the required setback areas for the zone.
  - b. No accessory structure, other than a temporary trailer used during a construction period, shall be constructed on a lot until a foundation inspection for the Principal Building has been approved.
4. No accessory structure shall be used unless the Principal Building on the lot is also in use.

**G. Accessory Equipment, Generally.**

1. **Setbacks.** Accessory Equipment is permitted to be located in required rear or side yard setback areas. Walkways are permitted in any setback area.
2. **Lot Coverage.** Accessory Equipment shall not be counted in calculations for total lot coverage in the Zone.
3. **Solar Energy Systems.** Ground-mounted and roof-mounted Solar Energy Systems shall be permitted by right. They are subject to the following conditions:
  - a. *Applicable Codes.* Installation of all Solar Energy Systems shall comply with all applicable local, state, and federal regulatory codes, including building, electric, fire, plumbing, and energy codes adopted by the City; State of Oklahoma Uniform Building Code, as amended; and the National Electric Code, as amended.
  - b. *Permits.* Solar Energy Systems may be installed only upon the issuance of building and/or electrical permit(s). Accessory-use Solar Energy Systems may be constructed and used while the Principal Building is under construction.
  - c. *Utility Notification.* All grid-interconnected Solar Energy Systems shall comply with the interconnection requirements of the electric utility. Off-grid systems are exempt from this requirement.
  - d. *Maximum Height of a Solar Energy Systems, Ground-Mounted.* Solar Energy Systems structurally mounted to the ground shall not exceed fifteen (15) feet in height when oriented at maximum tilt which shall be measured from the highest natural grade below solar panels.



*e. Additional regulations by Zone.*

1. Residential Zones. In any residential zone, including multi-dwelling but not including Mixed Use Zones, Ground-Mounted solar energy systems are subject to the setbacks of the Zone. Roof-mounted Solar Energy Systems may be attached to a carport, if the carport is not located in the front setback.
2. DD Zones and Urban Design Overlay Districts.
  - i. Staff may review and issue Certificates of Approval for Ground-mounted and Roof-Mounted Solar Energy Systems as set forth in the Zones or Overlay District standards.
  - ii. Solar Energy Systems, Building-Integrated may be reviewed by the Downtown or Urban Design Commission, as applicable.
  - iii. Solar Energy Systems, Ground-Mounted, shall be screened from view from ground-level on the street at the building frontage.
3. HP Overlay Districts. All Solar Energy Systems proposed on sites in HP Districts shall comply with the requirements in the Oklahoma City Historic Preservation Design and Sustainability Standards and Guidelines document.
4. **Rainwater Harvesting.** Equipment to harvest rainwater, such as rain barrels, shall be permitted by right in any zone subject to the following provisions.
  - a. Rainwater shall be stored and managed in such a way to prevent the infestation of insects and other pests through the following means:
    1. Collection containers or systems shall be securely covered.
    2. All inlets and points where standing water could be exposed to the outside shall contain screens with a pore size of one mm or less.
  - b. Discharge water shall not be released directly to a street, alley or other public way and shall not create an icy condition, nuisance, or damage to any sidewalk, street, parking area or other paved surface.
  - c. In a residential zone, aboveground rainwater storage containers may be located in front of the front building wall of the primary building if they are smaller than 85 gallons. Larger containers must be located behind the front building wall of the primary building and are subject to the setbacks of the zone.
  - d. In a commercial or industrial zone, the locations of aboveground rainwater storage containers are subject to the setbacks of the zone.
  - e. Screening of rainwater storage containers is not required.
  - f. Overlay district regulations may further restrict locations or increase screening from public view.
5. **Dumpsters.** Roll-off containers, front-end loader containers, rear-end loader containers, dumpsters and similar trash receptacles with a cumulative volume of two cubic yards or more (hereafter "dumpsters") shall be subject to the following:
  - a. All dumpster enclosures shall be located a minimum of 50 feet from a property line adjacent to any single-dwelling or multi-dwelling residential zone.
  - b. A dumpster shall be located behind the front wall of the Primary Building unless that placement would place the dumpster within 50 feet from a property line adjacent to any single or multi-dwelling residential zone.
  - c. All dumpsters shall be screened from view from the right-of-way of any public or private street and from any adjacent residential zone or transit stop.
  - d. Dumpsters shall be screened to a height sufficient to shield dumpster from sight on three sides by using a single opaque material wall or fence, or by using a combination of opaque materials, berming, and/or evergreen landscaping that provides the required screening effect and on the fourth side screened by a solid gate of height sufficient to shield dumpster from sight. The gate shall remain closed except when trash pick-ups occur. Dumpsters may also be screened by the wall(s) of a Principal Building or an Accessory Structure.
  - e. Chain-link fencing with woven slats of opaque material is not allowed for screening dumpsters.



- f. If a dumpster must be placed in a front or side setback area or adjacent to a transit stop, screening shall consist of a combination of opaque screening material that matches any of the materials of the Principal Building and landscaping spaced to provide a visual barrier on three sides of the screen. Screening by the wall(s) of a Principal Building or an Accessory Structure may substitute for any of the required screening of the three sides.
  - g. Screening of a dumpster is not required in the IH-II zone, unless the dumpster is located within 100 feet of an existing single or multi-dwelling residential zone.
  - h. A receptacle and its required screening located in the public right-of-way requires the issuance of a revocable permit for both the receptacle and the installation of the screening. Any immobile screening fence requires a fence permit.
  - i. Dumpsters and receptacles shall be screened and maintained by the property owner so that they do not generate trash, litter, debris, or odor beyond the screened facility.
  - j. If a structure is under construction or being demolished, and has a current building permit, trash receptacles may be located to the front of the primary structure, provided all dumpsters so located are removed at the completion of construction or demolition.
  - k. Within the DD-BC District, walls or fences for the screening of dumpsters shall be constructed of brick or masonry covered with brick, or of brick. Gates for trash enclosures shall be made of solid metal. Wood fencing and chain link fencing with insertions/waving shall not be permitted for screening of dumpsters.
6. **Battery Energy Storage Systems.** The regulations below are applicable to Tier 1 storage systems and behind the meter ground-mounted systems. For Tier 2 utility-scale (grid-scale) storage and distribution systems see Utility, Heavy (59-180)
- a. *Electric Vehicle Charging Stations.* Electric Vehicle charging stations placed on property within the front setback adjacent to Minor or Major Arterials shall be screened with a minimum 10-foot landscape buffer with trees on 40-foot centers.
  - b. *Energy Storage Systems, ground-mounted for commercial or industrial zones.* Regulations for ground-mounted for Solar Energy Systems in G.3 above apply.
  - c. *Residential systems, ground-mounted.* In any residential zone, including multi-dwelling but not including Mixed Use Zones, Ground-Mounted energy storage systems are subject to the setbacks of the Zone.

## **Sec. 59-106 Adult Entertainment**

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**Purpose.** *The City finds that the concentration of Adult Entertainment Uses in the City tends to result in the blighting and deterioration of those areas subject to such concentration. Accordingly, it is deemed necessary to regulate such uses in a manner reasonably calculated to prevent the occurrence of such deleterious effects upon surrounding properties.*

**A. Applicability.** This section applies to any Adult Entertainment use.

**B. Development Regulations.** Any person applying for a certificate of approval permit to locate, remodel, alter, rebuild, or relocate any of the above-referenced uses within the City must show that the use will comply with the following criteria, as well as the zone's dimensional standards and any applicable development standards in this Chapter:

1. No certificate of approval shall be granted for any proposed location which is within a 1,000-foot radius of any other Adult Entertainment Use.
2. No Adult Entertainment Use is allowed within a 500-foot radius of any church, public or private school (i.e. type which offers a compulsory educational curriculum), or public or private park. No Adult Entertainment Use is allowed within 500 feet of any area zoned for residential use.
3. All distances required to be met pursuant to the terms of this section shall begin at the property line of the proposed use and are measured to the nearest property line of the public or private school, park, church, residentially zoned area, or Adult Entertainment Use within the proscribed distance, if any.



- C. **Uses in Violation of this Section.** Any business in existence as of the effective date of this Chapter, and in violation of this section, is an illegal use. These illegal uses shall not be enlarged, extended, altered, or rebuilt except that they may be changed to comply with this section.
- D. **First Use is Complying.** If two or more Adult Entertainment Uses are located within 1,000 feet of each other as of the effective date of this chapter, the Adult Entertainment Use that is first licensed or continually operated is the complying use. The person, firm, corporation, or other entity responsible for the operation or management of the Adult Entertainment Use in those cases shall prove to the Director, by documented evidence, the date on which the Adult Entertainment Use was first licensed or began continuous operation.

## Sec. 59-107 PLACEHOLDER

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[PLACEHOLDER]

## Sec. 59-108 Agricultural Processing

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- A. **Applicability.** This section applies to Agricultural Processing use.
- B. **Adjacent to Residential Zones.** When this use abuts a residential zone:
1. Agricultural Processing shall be located the greater of at least ten feet from the property line or the minimum setback required by the applicable zone, whichever is greater.
  2. Storage of equipment, supplies, or processed products is not allowed in the front yard.
  3. A Type B buffer shall be required between the use and the residential zone.
- C. **Water and Waste Disposal Plans.** The applicant shall submit a plan of existing or proposed water and waste disposal facilities to show that the proposed use will meet all local, State, and Federal requirements.

*Note: other standards include Chapter 35 (Nuisances) and Section 59-36 (Nuisance Standards).*

## Sec. 59-109 Aircraft

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- A. **Applicability.** This section applies to any aircraft use.
- B. **Specific Use Permit.** A specific use permit application must include:
1. *Department of Airports License.* A written qualified approval for license from the Department of Airports.
  2. *Site Plan.* A site plan showing the following:
    - a. Description of property.
    - b. Intended size, layout and specifications of all improvements.
    - c. Surrounding land use.
  3. *Operation Plan.* An operation plan that includes:
    - a. Proposed uses of facility, types of operation and hours of operation.
    - b. Routes of approach and departure.
    - c. Designated emergency landing areas.
    - d. Description of the relationship of the facility to establish airports, helistops and heliports.
    - e. Expansion plans.
    - f. Methods of mitigating the effects on noise, lighting and pollution.
  4. *Miscellaneous requirements:*
    - a. A statement on public need for the facility.
    - b. Structure report by a registered engineer, if the proposed site is on a rooftop.
- C. **Dimensional Standards.** Dimensional standards shall conform to the applicable zone.



- D. **Regulatory Standards.** The site shall conform to all requirements established by local, state, and federal regulatory agencies for aviation activities.
- E. **Helicopter Landing Pads.** All helicopter landing pads at ground level shall have controlled access to protect people on the ground.
- F. **Lighting.** All lighting shall be arranged so that there will be no annoying glare directed or reflected toward adjacent property.
- G. **Parking.** Off-street parking or loading spaces shall be located at least 20 feet from any lot line abutting a residential zone.

### **Sec. 59-110 Animal Interment**

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- A. **Applicability.** This section applies to any Animal Interment use.
- B. **Setback.** Structures permitted as a part of the use (including on-site crematoriums), burial sites, and memorial facilities, shall be setback at least 20 feet from a residential zone.
- C. **Existing Uses.** Animal Interment Service uses that are legally in existence at the time of adoption of this Chapter may expand without requiring a specific use permit if the expansion does not increase the floor area of the establishment by more than 25 percent.

### **Sec. 59-111 Animal Raising**

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- A. **Applicability.** This section applies to the following uses:
  - 1. Animal Raising, Chickens/Quail
  - 2. Animal Raising, Commercial
  - 3. Animal Raising, Commercial Feedlots
  - 4. Animal Raising, Personal
- B. **Animal Raising, Chickens/Quail**
  - 1. *Generally*
    - a. Animal raising structures, enclosures, and activities are subject to applicable provisions of Chapter 8 (Animals) of the Oklahoma City Municipal Code.
    - b. This subsection does not supersede any restrictive covenant that applies to any property.
    - c. Water and food shall be provided onsite and accessible at all times.
    - d. Any electrical or heat sources shall comply with the City Building Code.
    - e. Outdoor slaughter of chickens or quail is prohibited.
  - 2. *Number/Type of Animals*
    - a. On parcels of less than one (1) acre, keeping, feeding, and maintaining up to a total of 6 chickens (hens) or quail is permitted.
    - b. No roosters are allowed.
  - 3. *Coops*
    - a. Chickens and quail shall be sheltered in a coop and are not allowed inside a dwelling.
    - b. A coop shall provide at least 4 square feet of space per chicken or quail.
    - c. Coops are subject to the development regulations of the zone where they are located, except as modified by this subsection. Coops shall be located at least:
      - 1. 5 feet from any side property line,
      - 2. 10 feet from any rear property line, and
      - 3. 30 feet from any dwelling unit located on an adjacent lot.





- d. Chickens or quail shall be kept within a coop from dusk until dawn. During the other hours of the day, chickens or quail shall have access to an unpaved outdoor roaming area of at least eight square feet per animal.
- e. Chickens or quail or their coops or enclosures are not allowed in front of the rear wall of the primary structure.
- f. Coops shall be kept clean so as to prevent pests, infestations, and noxious odors.
- g. Coops shall be designed, built, and maintained to prevent access by predators.

### **C. Animal Raising, Commercial and Animal Raising, Personal**

#### **1. Generally**

- a. Animal raising structures, enclosures, and activities are subject to applicable provisions of Chapter 8 of the Oklahoma City Municipal Code, 2020.

#### **2. Dimensional Standards.** These uses are subject to the development regulations of the zone where they are located, except as modified by this subsection C.

#### **3. Lot Area.**

- a. These uses are allowed only on sites at least 1 acre in size. For purposes of this subsection, lot and/or parcel size means net usable area, excluding public and private street rights-of-way.
- b. On parcels between 1 and 5 acres, raising, feeding, maintaining, and breeding one of the following (excluding unweaned offspring less than six months of age) is permitted per each one-half (½) acre:
  - 1. One horse, donkey, or mule.
  - 2. One cow, bull, heifer, or steer.
  - 3. Two goats, sheep, or similar animals.
- c. On parcels between 1 and 5 acres, raising, feeding, maintaining and breeding of one of the following is permitted per each 1 acre:
  - 1. One sow or boar hog, excluding unweaned offspring less than 50 pounds in weight.
  - 2. Three barrows or gilts.

#### **4. Setbacks**

- a. No building or enclosure in which animals are quartered shall be located closer than 200 feet to any dwelling, religious land use, school building, or place of business on adjacent properties. An "enclosure" is any area, corral, open-sided shelter, or enclosed shelter, which has artificial flooring or is substantially denuded of permanent vegetation as a result of animal activity and would include unfenced areas that become areas of animal congregation such that permanent forage is removed.
  - 1. The following exceptions to this 200-foot setback apply, if no more than one of the following conditions is applied:
    - i. If no more than one horse is maintained on the property, a 75-foot setback applies to enclosures.
    - ii. If no more than one cow, bull, heifer, or steer is maintained on the property, a 75-foot setback applies to enclosures.
    - iii. If no more than a combined total of 4 sheep, goats, or similar animals are maintained on the property, a 75-foot setback applies to enclosures.
    - iv. If no more than 1 barrow, gilt, sow, or boar hog is maintained on the property, a 75-foot setback applies to enclosures.
  - 2. Structures where animals are quartered as of the date on which this subsection takes effect, if not complying with this subsection C.4.a.1, are considered legally nonconforming structures.
  - 3. If any dwelling, religious institution, school building, or place of business is constructed adjacent to property on which animal raising activities are taking place, structures or enclosures existing on the property where animals are quartered that are located closer than 200 feet to those uses is considered legally nonconforming as of the date of issuance of a building permit for those uses.



- b. No rooster shall be tethered closer than 400 feet to any dwelling, religious institution, school building, or place of business on adjacent properties.
- c. No enclosure in which roosters are quartered shall be located closer than 400 feet to any dwelling, religious institution, school building, or place of business on adjacent properties.
- 5. Any nonconforming uses in existence as of the effective date of this Chapter or any amendments to this Chapter shall, within 3 months of the effective date, terminate or otherwise come into compliance with the terms of this Section.

#### **D. Animal Raising, Commercial Feedlots**

- 1. The site shall be at least 20 acres in size.
- 2. No such use is permitted within one-half mile of an UL-SD, UL-MR, UM-SD, UM-MD, land lease community, or HPO zone.
- 3. The applicant shall submit a plan of existing or proposed water and waste disposal facilities to show that the proposed use will meet all local, state, and federal requirements.

### **Sec. 59-112 Automobile and Vehicle Sales and Rental**

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**A. Applicability.** This section applies to any Automobile and Vehicle Sales and Rental use.

#### **B. Accessory Uses**

- 1. The area devoted to accessory uses shall not exceed 40 percent of the area devoted to principal uses. Principal uses include inside and outside displays and showrooms, and offices and financial services for vehicle sales, while accessory uses include automotive painting, body and frame repair, repairs of motors, transmissions, and differentials, and automotive parts sales.
- 2. An Indoor Automobile and Vehicle Sales and Rental use may include up to 10 vehicles outdoors for display. This does not include vehicles stored temporarily until they are stored indoors for sale or employee parking.

#### **C. Access**

- 1. Automobile and Vehicles Sales and Rental, Outdoor shall be located, and have frontage, on an interstate highway, expressway, or major arterial street. This use shall not be allowed on a major arterial street with less than 100 feet of right of way if a residential zoning district exists directly across the major arterial from any portion of the site.
- 2. Vehicular access for Automobile Vehicle Sales and Rental, Outdoor is not permitted between the facility and abutting Neighborhood, Connector, or Main Streets with less than 51 feet of public right-of-way.

**D. Screening.** The facility shall be landscaped as required by Sec. 59-37 (Landscaping).

- 1. Establishments may cluster landscaping to optimize the view of the automobiles and vehicles for sale, subject to approval of a landscape plan at building permit that provides trees and/or shrubs in quantities that equal a non-clustered design. Parking spaces for vehicles for sale are exempt from Parking Lot Landscaping requirements. Parking spaces for employees are not exempt from Parking Lot Landscaping requirements.
- 2. If the Automobile and Vehicle Sales and Rental, Outdoor use is located adjacent to, abuts, or is directly across the street from a residential use or zone, a Type B landscape buffer is required (See 59-38). This provision does not allow for clustering. This provision may count for site landscaping requirements of Sec. 59-37.
- 3. Non-vegetative screening, such as fences or walls, shall be subject to the regulations of the base zone and, if in an overlay district, any additional fence requirements of the overlay district.

**E. Car Vending Machines.** Car vending machines taller than 6 stories must be located at least 500 feet from any residential use or zone.

**F. Use Restriction.** This use is not allowed in any MX zone or in a UM-MC Pattern 2 development.





## Sec. 59-113 Automobile Vehicle Impound Yards, Damaged Vehicle Auctions and Sales

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- A. **Applicability.** This section applies to any Automobile Vehicle Impound Yards and Damaged Vehicle Auction.
- B. **Vehicle Storage and Parking.** All vehicles stored or parked outside the confines of an enclosed structure shall be parked on a surface meeting one of the following standards:
1. On compacted subgrade, a minimum six-inch layer of traffic-bound surface coarse (TBSC) Type D or Type E compacted to 95 percent standard proctor density.
  2. Eight inches of cement kiln dust overlaid with five inches of dust-free asphalt millings.
  3. Three to four inches of crusher run over one and one-half to two inches of gravel.
  4. Equivalent standard approved by the City Engineer.
- C. **Fencing.** Sight-proof fencing, not less than 8 feet in height as measured from finished grade, shall be provided on all sides abutting a public street, excluding gates. All gates that are not sight-proof must be equipped with screening slats to reduce visibility into the site from the adjoining street.
- D. **Landscaping.** A Type B buffer (Sec. 59-35) is required between any public street right-of-way and the required sight-proof fencing. This requirement does not apply to nonconforming uses in existence as of the effective date of this chapter.
- E. **Distance from Residential.** No vehicle storage or parking area is allowed within 300 feet of a residential zone or property used for residential purposes.
- F. **Outdoor Storage and Display.** No scrap or waste material shall be stored in such a manner that it exceeds the height of the fence.
- G. **Nonconformities**
1. Any use in existence as of the effective date of this chapter that violates subsections B and C above is deemed nonconforming. That nonconforming use shall not, in any manner, be enlarged, extended, altered, or rebuilt except to comply with this section.
  2. All uses deemed nonconforming uses under the terms of this section shall, within 3 years of the effective date of this Ordinance, terminate or come into compliance with the terms of this section. This subsection does not apply to subsection D (Landscaping), above, and that subsection does not apply to any future enlargement, extension, or reconstruction of the nonconforming use.

## Sec. 59-114 Bed and Breakfast

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- A. **Applicability**
1. This section applies to any Bed and Breakfast use.
  2. A Bed and Breakfast includes up to 9 guest rooms. If more than 9 guest rooms are provided, the use is a Limited or Full Service Hotel. *[Note: under § 310.5.2 of the International Building Code, owner-occupied lodging houses with 4 or fewer guest rooms are subject to the International Residential Code.]*
- B. **Guest Rooms.** Guest rooms shall not include cooking facilities.
- C. **Guest Stay.** The maximum stay by any guest is limited to 30 days.
- D. **Parking.** Guest parking at a minimum rate of .5 spaces per guest room shall be provided on-site.

## Sec. 59-115 Campgrounds

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- A. **Applicability.** This section applies to Campgrounds.
- B. **Access.** The site shall front or have direct access to a street meeting the minimum design standards for a Minor Arterial, Major Arterial, Industrial Street or Highway as designated in the Comprehensive Plan.
- C. **Building Permit.** New Campgrounds or existing Campgrounds that propose a new building and/or an increase of more than 10 percent in the number of recreational vehicle spaces require a building permit issued by the Development Services Department.



#### D. Occupancy

1. One (1) residential dwelling unit or camping unit is allowed to provide housing or shelter for the caretaker or supervisor of the campground.
2. Recreational vehicle spaces shall be occupied only by recreational vehicles (except as provided in subsection C.1 above).
3. Recreational vehicle spaces shall be rented only on a daily or weekly basis.
4. The maximum density is 20 recreational vehicles spaces per acre and no more than 20 tents per acre, provided that all other local and state regulations are met to accommodate such a density. The maximum density in a Rural Low zone is limited to 10 recreational spaces or tents per acre.

E. **Setback.** No building or recreational vehicle shall be located closer than 25 feet to any lot line abutting any residential use.

F. **Driveways.** All recreational vehicle spaces shall abut a private street that has unobstructed access to a public street. Private street construction and widths shall conform to Public Works Department standards for private streets.

G. **Lighting.** Lighted outdoor facilities shall not be located closer than 50 feet to any property line that adjoins a residential use. See [Sec. 59-40](#) (Lighting) for other Lighting requirements.

H. **Service Building.** At least one service building shall be provided in each RV park to house shower and restroom facilities. The service building shall:

1. Be located no less than 25 feet and no more than 300 feet from any RV or tent space.
2. Meet applicable Oklahoma City adopted International Building Code requirements, including for ventilation.
3. Use moisture-resistant materials on the exterior and interior to allow for frequent washing and cleaning.
4. Screen all openings.
5. Dispose waste from the buildings in a manner compliant with all applicable City codes and Oklahoma Department of Environmental Quality regulations.
6. Provide toilets and showers in the amount specified in Chapter 31.

I. **Parking.** The space for each recreational vehicle shall be provided with a permanent hard-surfaced pad that meets City requirements for the weight of a recreational vehicle. In addition, one hard-surfaced parking space for non-recreational vehicles shall be provided adjacent to the pad.

J. **Buffer to Sensitive Edges.** A Buffer Type D is required between a Campground and any Sensitive Edge, including an abutting edge or one located across a public street. The buffer strip shall contain no roads or drives, RV spaces, buildings, or other structures, except for sight-proof screening, and shall be designed to observe sight triangles.

K. **Open Space.** Landscaped open space shall be provided in the ratio of at least 400 square feet per recreational vehicle space. Required buffer areas may count toward this square footage requirement.

[Reference: [Chapter 31](#) of the Oklahoma City Municipal Code, 2020, as amended.]

### Sec. 59-116 Carports

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A. **Applicability.** This section applies to any Carport. A Porte cochere is a type of carport.

B. **Building Code.** All carports shall be constructed, erected, or installed to conform with the structural requirements of Chapter 12 of the Municipal Code. A building permit is required before the carport is constructed.

#### C. Location.

1. A carport is allowed:
  - a. on the side property line on an interior lot;
  - b. on a side property line on a corner lot line abutting a street; and
  - c. on the side property line in subdivisions permitting zero lot line development; or
  - d. within a commercial parking lot.



2. All carports shall be located only over an existing paved driveway.
  3. All carports shall comply with the front yard setback requirements of this chapter. Carports used in conjunction with a detached dwelling or two-dwelling may extend into the required front yard setback area. No carport shall extend closer than 5 feet from the front property line.
  4. Carports for triplexes and quadplexes in a UM-SD or UM-MD zone must be located behind the front wall of the Principal Building or behind the side wall of the Principal Building on a corner lot.
- D. **Maintenance.** All carports shall be kept in an attractive state, in good repair, and in a safe and sanitary condition.
- E. **Building Design.** Carports shall not be constructed of corrugated metal, sheet metal, plastics, polymers or polycarbonates.
- F. **Width.** A carport used in conjunction with a detached dwelling or two-dwelling shall not exceed the following width (measured from eave line to eave line):
1. 12 feet for a single garage and/or driveway,
  2. 24 feet for a double garage and/or driveway, or
  3. 24 feet for any other garage and/or driveway.
- G. **Number Allowed.** No more than one carport is permitted per detached dwelling. No more than two carports are permitted per two-dwelling.
- A. **Openings.** All carports shall be permanently open on two sides from the grade surface to the eave line. All carports that extend into the required front yard setback shall be permanently open on three sides from the grade surface to the eave line.
- B. **Sight Distance.** No carport shall violate the sight distance requirements of this chapter.

### Sec. 59-117 Child Care Centers

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- A. **Applicability.** This section applies to any Child Care Center.
- B. **Where Allowed.** See Use Tables (Sec. 59-22). In addition, Child Care Centers are considered accessory uses to Religious Institutions, Schools (Major or Minor), or other Civic uses in residential zones.
- C. **Conditions.** If a Child Care Center requires a specific use permit in a residential zone, the decision maker may require conditions that:
1. Assure that no residential structure in a residential zone is physically altered in a way that has a negative impact on adjacent residential uses, and
  2. Require any paving, signs and structural remodeling to maintain physical compatibility with the surrounding area.

### Sec. 59-118 Cleaning and Repairs, Light Equipment

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- A. **Applicability.** This section applies to any Cleaning and Repairs, Light Equipment use.
- B. **Screening.** Where vehicles or equipment are to be parked or stored outside while awaiting repair, the parking or storage areas shall be screened by a minimum Type B buffer (See Section 59-38, Landscape Buffering) along any street or property line abutting or across a public street from a residential zone. Screening of vehicles awaiting repair adjacent to or abutting a residential zone also may, instead of landscaping, be screened by a sight-proof fence or a building.
- C. C.
- D. **Duration.** Vehicles or equipment awaiting repair shall not be stored on the property for more than 10 working days.
- E. **Bricktown Core (DD-BC).** This use is not permitted within the following area of the DD-BC zone: The BNSF Railway viaduct on the west, E Main Street on the north, E Reno Avenue on the south, and Joe Carter Avenue on the east. Elsewhere in the DD-BC District, this use shall not be visible from the street except for entrances and/or exits.
- F. **Tire Storage/Display.** The following apply to the storage and display of tires:
1. **Storage.** Tires shall not be stored outside the confines of an enclosed building;



2. *Display.* Tires may be displayed for sale outside an enclosed building only between 6:00 a.m. and 9:00 p.m. daily.

### **Sec. 59-119 Commercial Kiosk**

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- A. **Applicability.** This section applies to any Commercial Kiosk.
- B. **Placement.** Commercial Kiosks shall be located:
1. At least 10 feet from the street right-of-way,
  2. Outside of required stormwater management systems.
- C. **Screening.** Commercial Kiosks located outside of a rear yard that can be seen from ground view of a public street shall require a Type A buffer (see Sec. 59-38) between the kiosk and the street. This requirement shall not supersede streetscape tree buffer requirements (see Sec. 59-37)
- D. **Grouping.** Multiple Commercial Kiosks on a lot shall be grouped for common access.

### **Sec. 59-120 Communications**

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- A. **Applicability.** This section applies to any of the following Communication uses:
1. Broadcast Towers,
  2. Telecommunication Towers, and
  3. Antennas.
- B. **Generally**
1. *Fence.* A fence at least 8 feet in height (measured from finished grade) shall be installed around the site of a broadcast or telecommunications tower with access through a locked gate.
  2. *Landscaping.* All broadcast or telecommunications tower sites shall be landscaped and maintained with non-deciduous trees, that grow to a mature height of at least 6 feet, with a minimum of one tree per 10 lineal feet of street frontage, on the outside of the required fence. Upon written request, the Director may modify or waive this requirement if the landscaping requirement is not consistent with the surrounding area.
  3. *Signals and Illumination.* No signals or illumination are permitted on any tower unless required by the Federal Communication Commission (FCC), Federal Aviation Administration (FAA), or City agency.
  4. *Commercial Advertising.* No commercial advertising or signs are allowed on any tower.
  5. *Residential Zones Waiver.* Broadcast or Telecommunications Towers may be located in a residential zone if:
    - a. Development conditions listed in subsection D below are met. The height restrictions of subsection D.1.a below apply and refer to residential uses and not zones.
    - b. The subject site is vacant and/or unplatted. However, the subject site may be occupied with a non-residential land use which is a legal use and/or a legal nonconforming use.
    - c. There are no residential uses located within a radius equal to 125 percent of the height of the tower measured from the base of the tower.
  6. *Small-Cell Wireless Facilities.* Locations of new facilities in the right of way in a DD zone or an overlay district may be subject to design guidelines or regulations of the zone or overlay.
- C. **Broadcast Towers**
1. The maximum height of the tower (including antenna array) is 200 feet. Any tower that does not meet the 200-foot height restriction shall obtain a Specific Use Permit.
  2. All towers shall be located on a site so as to provide a minimum distance equal to the height of the tower from all property lines. The Director may modify this requirement at least 50 percent of the tower height where tower design will assure a collapsing tower will fall within a smaller area. The minimum distance required by this Paragraph is measured from the base of the tower to all abutting property lines.



3. All guys and guy anchors shall be located within the buildable area of the lot and not within the front, rear, or side yard setbacks, and no closer than 5 feet to any property line.
4. The following minimum setbacks are required:
  - a. 50 feet from any abutting street right-of-way, and
  - b. 100 feet from any abutting interstate or state highway.

#### **D. Telecommunication Towers**

1. The maximum height of the tower (including antenna array) is 200 feet in height. Any tower that does not meet the 200-foot height restriction shall obtain a Specific Use Permit.
2. Minimum Distances for Towers and Sites
  - a. All towers shall be located to provide a minimum distance equal to the height of the tower from any residential zone or use.
  - b. All cellular or telecommunication sites shall be located to provide a minimum distance from any abutting parcels in the RL-AG, RL-AR, RL-RC, RM-RC, UL-MX, UM-MC, UM-O, UM-MX, UH-MX, RD-RC, RD-AC, DD, DBD, or EM-BP zones of:
    1. 25 feet from all exterior boundaries of the cellular or telecommunication site, measured from the fence surrounding the site, as required by subsection B.1 above, to all property lines of any abutting property, and
    2. 50 feet from the tower to all property lines, measured from the base of the tower to all property lines of any abutting parcels.
  - c. A cellular or telecommunication site or tower may be located closer than the distances above with the written consent of all abutting property owners whose property line(s) are within the distances listed above.
3. All towers shall be constructed so that they may be utilized by 3 or more wireless communication providers. Proof of that capacity shall be submitted before a building permit is issued.
4. New telecommunication towers with the heights listed below shall be located a minimum distance from another telecommunication tower as follows:
  - a. Above 75 feet in height: one-half ( $\frac{1}{2}$ ) mile.
  - b. 35 and 75 feet: one-quarter ( $\frac{1}{4}$ ) mile.
5. Towers located within 500 feet of any residential district or use shall be of monopole type construction.
6. All guys and guy anchors shall be located within the buildable area of the lot and not within the front, rear, or side yard setbacks, and no closer than 5 feet to any property line.
7. All towers shall observe a minimum setback from any abutting street or highway right-of-way of 25 feet.
8. Related unmanned equipment buildings are limited to 750 square feet of gross floor area per carrier and shall not be more than 12 feet in height from the finished floor elevation. Small equipment cabinets, which contain all necessary instruments for the operation of the antenna, are encouraged as an alternative to the equipment building.
9. Telecommunication towers that have not been used for a period of one year shall be removed from a site. The last service provider shall notify the Director within 30 days that the use has been discontinued.
10. *Specific Standards for Telecommunication Tower [Specific Use Permit](#)*
  - a. A specific use permit is required if the tower:
    1. is designated as a specific use in the Use Table (Sec. 59-22), or
    2. does not meet any of the conditions outlined above.
  - b. The applicant shall provide the following information:
    1. Evidence that there is a gap in coverage or a demonstrated lack of cellular voice or data service capacity in the area identified by the wireless service provider; and
    2. Evidence that there are no other available sites that would close the gap in coverage or provide capacity relief demonstrated by the wireless service provider; and



3. Evidence that there are no co-location opportunities (locations on existing buildings/structures) available that would mitigate the issues demonstrated by the wireless service provider; and
4. Evidence that the proposed new tower site would satisfy the least intrusive means test of closing the gap in coverage or relieving capacity.

#### **E. Antennas**

##### **1. Placement of Telecommunication Antennas on Existing Towers/Sign Structure**

- a. Telecommunication antennas are allowed in all zones without further zoning proceedings only on existing utility, lighting, telecommunication towers, and sign structures, if the antenna does not exceed the height of the structure by more than 20 feet. Those placements are subject to a revocable permit, if applicable.
- b. Telecommunication antennas located on existing structures are not subject to any separation requirement.
- c. The [Development Services](#) Director may require the submission of an engineering certification letter to confirm that any addition, change, or modification conforms to structural wind load and all other requirements of the current Building Code adopted by the City of Oklahoma City.

##### **2. Replacement of Telecommunication Antennas on Existing Towers/Poles**

- a. Existing structures may be rebuilt in all zones, without further zoning proceedings, if necessary to support the load of the new antenna and the rebuilt structure is substantially similar in appearance to the existing structure it replaces. Rebuilding of existing structures is limited to one time per structure.
- b. If the replacement or rebuilding is necessary for co-location, the existing structure may increase by 30 feet higher than the existing structure, up to a maximum height of 200 feet. Replacement or rebuilding for co-location purposes is limited to one time per structure and the structure must be constructed so that it may be utilized by three or more wireless communication providers.

##### **3. Placement of Roof-Mounted Telecommunication Antennas.** Roof-Mounted Telecommunication Antenna placements are allowed on non-residential and residential structures within the UL-MD and UM-MD zones that are at least 3 stories in height, without further zoning proceedings, if:

- a. A non-whip antenna does not exceed the height of the building by more than 20 feet, and
- b. A whip antenna does not exceed the height of the building by more than 20 feet and is located no closer than 5 feet to the building perimeter, and
- c. As a part of the building permit proceedings, the Planning Director shall be provided with an engineer's certification that the roof will support the proposed antenna and associated equipment.

##### **4. Placement Building-Mounted Telecommunication Antennas.** Building-mounted telecommunication antenna placement of non-whip antennas is allowed on non-residential structures in any zone and residential structures located within the UL-MD and UM-MD zones that are at least 3 stories in height, without further zoning proceedings, if the antenna is mounted flush with the exterior of the building so that it projects no more than 41 inches from the surface of the building to which it is attached.

## **Sec. 59-121 Composting**

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### **Purpose:** *This section:*

- *Provides for composting as a principal use or an accessory use allowed and regulated by this Chapter; and*
- *Promotes the benefits of compost, such as soil amendment, erosion control, drought protection, stormwater management, water conservation, and carbon storage; and*
- *Regulates composting separately from solid waste land uses due to its unique operational characteristics; and*
- *Encourages diversion of community organic materials as resources that can be used rather than waste that requires disposal in landfills; and*
- *Requires best practices of compost operations to benefit the community with well-managed operations and facilities.*





## A. Applicability

1. **Composting Activities.** This section applies to any composting use.
2. **Feedstock Types.** For purposes of this section, “feedstock types” are as defined by the Oklahoma Department of Environmental Quality (see OAC 252:515-43).

## B. Generally

1. **Regulations.** All composting operations shall occur per applicable City, Oklahoma DEQ and Oklahoma Department of Agriculture and Forestry (ODAFF) rules and regulations.
2. **Limited Operations.** Composting operations that require ODAFF approval shall be permitted only in a Composting Facility or a Composting, Accessory Agricultural use.
3. **Prohibited Materials.** Composting facilities may not accept hazardous waste, as defined in federal regulations at 40 CFR Part 261 and the Oklahoma Hazardous Waste Management Act (27A O.S. 2-7-103).
4. **Application.** All zoning or building permit applications for Composting Facilities shall include:
  - a. A responsible party for the facility.
  - b. A certification that the facility meets all applicable local and/or state organic material facility permitting requirements.
  - c. A statement listing remediation plans for potential odor, pest control, and traffic.
  - d. A site monitoring plan, including the timing and duration of temperature checks to certify that minimum safety precautions are met.
5. **Screening.** In-vessel or fully enclosed compost bins shall not require screening. Other bin types and piles shall be screened by:
  - a. Sight-proof screening from view of the public right-of-way per Industrial Uses screening in 59-36; and/or
  - b. Existing or planted medium or large trees on 30-foot centers along any public right-of-way surrounding the site.
  - c. Screening for Agricultural Composting is not required.
6. **Maintenance.**
  - a. Composting operations shall be managed and cared for to prevent infestation of insects, rats, vermin, and other pests, and shall not be allowed to become trash as defined in 11 O.S. § 22-111 (Cleaning and Mowing of Property).
  - b. Composting operations must be managed to prevent unpleasant or noxious odors, dust, noise, runoff, vectors, and fire and shall comply with Sec. 59-37 (Nuisance Standards). All nuisances shall be undetectable at the property line in the Residential Zones.
  - c. There shall be no standing water on site.
  - d. Composting operations and facilities shall be located and designed so that water that comes in contact with the material will not run off into public or private streets, storm sewers, drainage ditches, water retention basins, streams, or lakes.

## C. Principal Use Standards.

1. **Building Permit:** An application for a building permit for a Composting Facility shall include an approved Oklahoma DEQ solid waste permit or ODAFF composting permit, if the facility is of a size or type that requires either of those state permits. An application shall include a site plan showing the following:
  - a. Designated areas for tipping/drop-off of materials, mixing of materials, curing materials, placement for storage of finished compost, the location and design of buffer areas and screening adjacent to any sensitive edges.
  - b. Location and plan for emergency access.
  - c. Enumeration of nuisance mitigation methods, if applicable.
2. **Materials.** Feedstock types (as defined by the Oklahoma Department of Environmental Quality, see OAC 252:515-43-3) are allowed. Composting operations for a Small Composting Facility shall not include:
  - a. Any biosolids listed in OAC 252:606-1-1(c), or



b. Any Class A or Class B biosolid as defined by OAC 252:606-1-2.

3. **Principal Use Dimensional Standards.** Composting facilities are subject to the following setbacks or that of the applicable zone, whichever is more restrictive:

Table 59-121.1 Principal Use Composting Dimensional Standards		
	Small Composting Facility	Large Composting Facility
Compost allowed on-site at any one time ( <i>max.</i> )	7,500 cubic yards	35,000 cubic yards
Setbacks		
Property Line or adjacent residential zone or use ( <i>min.</i> )	100'	300'
Water Well ( <i>min.</i> )	300'	300'
Municipal water supplies or wells ( <i>min.</i> )	300'	300'
Downgradient surface water bodies ( <i>min.</i> ) (1)	100'	100'
Upgradient surface water bodies ( <i>min.</i> ) (1)	100'	100'

(1) As measured from the highest point of the water body bank nearest to the composting operation. If the FEMA 100-year floodplain extends further than 100' from the highest point of the water body bank, then facility operations shall be setback outside of the 100-year floodplain.

4. Tipping Areas or Pads. All Composting Facilities shall comply with the following:

- Tipping areas or pads where all incoming materials are mixed, blended, and/or sorted shall conform to all City and State regulations.
- Organic material within a tipping area shall not exceed ten (10) feet in height at any time.

5. **Incorporation of Residuals and Feedstocks.** All incoming off-site agricultural residual and feedstocks shall be incorporated into a composting windrow or other composting process within twenty-four (24) hours of receipt at the facility, or any shorter period required by the Oklahoma DEQ or ODAFF.

6. **Records.** The operator shall keep annual records detailing the date, source, and approximate volume of each delivery to the facility of off-site generated organic material and shall maintain each annual record for three (3) years. The records shall be made available upon request.

7. **Small Composting Facility.**

- Facility Size:** A Small Composting Facility must be on a site two (2) acre or greater in size.
- Delivery.** Delivery of compost, mulch, soil, or other clean organic or inorganic materials is allowed, if:
  - Storage of the materials shall not exceed 6 feet in height; and
  - Deliveries occur only between 7:00 am and 10:00 p.m. No commercial trucks shall remain on the property after 10:00 p.m.

8. **Large Composting Facility.**

- Facility Size:** A Large Composting Facility must be on a site 5 acres or greater in size.
- Delivery.** Delivery of compost, mulch, soil, or other clean organic or inorganic materials is allowed, if:
  - Storage of the materials does not exceed 10 feet in height; and
  - Deliveries occur only between 7:00 am and 10:00 p.m.; and
  - No commercial trucks making deliveries remain on the property after 10:00 p.m.

D. **Accessory Use Standards.**

7. **Building Permit:** If an accessory composting operation requires an Oklahoma DEQ solid waste permit or an ODAFF Permit for Agricultural Composting, a building permit is required and shall include the approved state solid waste or compost permit and the information required in this section for a Principal Use Composting Facility site plan. If a





DEQ solid waste permit is not required, a building permit is required only for new paving, or buildings associated with the operation. Otherwise, a building permit is not required.

8. **Accessory Use Dimensional Standards.** Composting facilities are subject to the following setbacks or that of the applicable zone, whichever is more restrictive:

Table 59-121.2 Accessory Use Composting Dimensional Standards				
	Residential Composting	Community Garden Composting	Accessory Commercial Composting	Agricultural Composting, includes Urban Farms
Compost feedstocks allowed on-site at any one time ( <i>max.</i> )	20 cubic yards	50 cubic yards	500 cubic yards	25,000 cubic yards
Setbacks				
Abutting residential zone or use ( <i>min.</i> )	10'	20'	50'	100'
Water Well ( <i>min.</i> )	100'	100'	300'	300'
Municipal water supplies or wells ( <i>min.</i> )	100'	100'	300'	300'
Downgradient surface water bodies ( <i>min.</i> )(1)	100'	100'	100'	100'
Upgradient surface water bodies ( <i>min.</i> ) (1)	100'	100'	100'	100'

(1) As measured from the highest point of the water body bank nearest to the composting operation. If the FEMA 100-year floodplain extends further than 100' from the highest point of the water body bank, then facility operations shall be setback outside of the 100-year floodplain.

#### 9. Residential Composting.

- a. **Description.** Composting operations on a residential site less than one acre where the feedstocks consist of organic material generated at the same site at which the composting occurs, or organic material generated off-site. The resulting compost is primarily used at the same site on which the composting occurs and may be sold or donated.
- b. **Materials.** Only Type 1 or Type 2 feedstock types (as defined by the Oklahoma Department of Environmental Quality, see OAC 252:515-43) are allowed. Composting operations shall not include:
  1. Any biosolids listed in OAC 252:606-1-1(c), or
  2. Any Class A or Class B biosolid as defined by OAC 252:606-1-2.
- c. **Static Piles.** Composting operations and storage shall not be located within a front setback.
- d. **Height.** No composting pile or container in Residential Composting shall exceed six (6) feet in height.
- e. **Sales.** The compost resulting from a home composting operation may be donated, used, or sold on-site or off-site.
- f. **Methodologies.** Residential Composting shall use one or a combination of the following methodologies:
  1. freestanding and manually turned compost piles,
  2. manually or mechanically turned windrows,
  3. aerated static piles,



4. in-vessel or partial enclosure compost bins,
5. vermicomposting, or
6. bokashi.

#### 10. **Community Garden Composting.**

- a. **Description:** Composting operations accessory to an Urban Agriculture-Community Garden where the feedstocks consist primarily of organic material generated at the same site at which the composting occurs, or organic material generated off site. The resulting compost is primarily used at the same site on which the composting occurs and may be sold or donated.
- b. **Materials.** Only Type 1 or Type 2 feedstock types (as defined by the Oklahoma Department of Environmental Quality, see OAC 252:515-43) are allowed. Composting operations shall not include:
  1. Any biosolids listed in OAC 252:606-1-1(c), or
  2. Any Class A or Class B biosolid as defined by OAC 252:606-1-2.
- c. **Static Piles.** Static compost piles are limited to twenty (20) cubic yards in volume. Aerated or turned piles or windrows are limited to fifty (50) cubic yards in volume.
- d. **Height.** No composting pile or container in Community Garden Composting shall exceed six (6) feet in height.
- e. **Methodologies.** Residential Composting may use one or a combination of the following methodologies:
  1. freestanding and manually turned compost piles,
  2. manually or mechanically turned windrows,
  3. aerated static piles,
  4. in-vessel or partial enclosure compost bins,
  5. vermicomposting, or
  6. bokashi.

#### 11. **Accessory Commercial Composting.**

- a. **Description:** Composting operations on a commercial site, including but not limited to nurseries, greenhouses, garden stores, landscape stores, and urban farms or other commercial uses where the feedstocks consist of organic material generated at the same site at which the composting occurs, or organic material generated off site. The resulting compost is used at the same site on which the composting occurs or is sold or donated. The site receives, stores, generates, and/or distributes no more than 500 cubic yards at any one time.
- b. **Materials.** Only Type 1 or Type 2 feedstock types (as defined by the Oklahoma Department of Environmental Quality, see OAC 252:515-43) are allowed. Composting operations shall not include:
  1. Any biosolids listed in OAC 252:606-1-1(c), or
  2. Any Class A or Class B biosolid as defined by OAC 252:606-1-2.
- c. **Height.** No composting pile or container shall exceed ten (10) feet in height, unless the use is adjacent to a sensitive edge, then, shall not exceed six (6) feet in height.
- d. **Sales:** The resulting compost product from an Accessory Commercial Composting operation may be sold on site or donated.

#### 12. **Agricultural Composting.**

- a. **Description.** Composting operations, including at Urban Farms, where the primary feedstocks consist of agricultural residual generated at the same site at which the composting occurs, or organic material generated off site. The resulting compost may be used at the same Agricultural site on which the composting occurs or distributed via on-site or off-site sales or donations.
- b. **Materials.** Only Type 1 or Type 2 feedstock types (as defined by the Oklahoma Department of Environmental Quality, see OAC 252:515-43-3) are allowed. Composting operations shall not include:
  1. Any biosolids listed in OAC 252:606-1-1(c), or



2. Any Class A or Class B biosolid as defined by OAC 252:606-1-2.

c. **Screening.** Screening is not required.

### 13. **Composting Consolidation Site**

a. **Description:** Composting Consolidation sites are permitted as a principal or accessory use within any Commercial, Civic, or Agricultural zone for the following purposes: public drop-off of compostable materials; exchanging of containers of compostable materials and empty containers; pre-processing of compostable materials; equipment storage; rinsing of containers; and other related activities.

b. **Outdoor Activities:** Activities may be located outdoors or inside a building but must adhere to all screening and setback regulations of the underlying zone. Collected materials for compost shall be transferred to a composting facility or other composting operation at least one time per week.

c. **Volume of Materials:** Sites that collect or receive more than 20 cubic yards of material at any one time shall follow the standards for Accessory Commercial Composting.

## **Sec. 59-122 Construction Sales and Services**

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A. **Applicability.** This section applies to Construction Sales and Services uses, including building materials and hardware stores with outdoor storage and display areas exceeding 10% of the principal building gross floor area.

B. **Building Design.** Transparency requirements of the zone apply to the front of the building only. Articulation requirements of the zone do apply to this use.

C. **Outdoor Sales and Display.** Outdoor sales and display are allowed under the following conditions:

1. No manufacturing, assembly, repair, work activity, or storage other than permitted outside sales and display shall take place outside the confines of an enclosed building.
2. Outside sales and display shall be only materials or products actively offered for sale and may remain outside at all times.
3. No outside sales or display shall be permitted within 20 feet of any lot line abutting an RL-AG, RL-AR, RM-SD, UL-SD, UL-MR, UM-SD, or UM-MD zone, a land lease community, or PUD or SPUD Districts that permit residential uses.
4. No outside sales or display shall be stacked or extend above the required sight-proof screening.
5. No public sidewalk or street right-of-way shall be used for outside sales or display, except for an approved temporary special merchant promotion authorized by City regulations.

## **Sec. 59-123 Cottage Court**

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**Purpose:** *This section establishes standards for the development of cottage courts. This provides housing opportunities in homes that are clustered around common useable open space (such as a green our courtyard), enables the development of detached or attached housing in smaller "pocket" neighborhoods, and accommodates an increasing demand for this housing product.*

A. **Applicability.** The following regulations apply to cottage courts. For purposes of this section, a "cottage" means a detached dwelling (including a detached dwelling, manufactured or tiny home), two-dwelling, or townhouse that complies with this section, and a "cottage court" means a lot, parcel, or contiguous development site on which one (1) or more cottages are located and that complies with this section. A land lease community qualifies as a "cottage court" if it complies with this section.

B. **Building Design.** Any street facing facade shall provide modulation. Examples of modulation include windows, porches, and dormers.

C. **Orientation.** If a side wall faces a street,

1. the front entrance shall be viewable from the street, and



2. a minimum five-foot planting bed shall be located along the street-facing wall with at least 50% of the planting bed consisting of shrubs and small trees that will grow to a height of at least six feet.
3. If more than 35% of the street facing wall has modulation, including windows, porches, dormers or other fenestration, the planting bed may be reduced to a width of 3 feet with no percentage requirement for trees or shrubs that grow to a certain height.

#### D. Useable Open Space

1. At least fifty percent (50%) of the dwellings on the parcel shall abut the useable open space.
2. All of the cottages shall be within sixty (60) feet distance of the useable open space. This distance is measured in a straight line from the nearest edge of the useable open space to the nearest edge of the building frontage.
3. The useable open space shall have cottages abutting at least two (2) sides.
4. The useable open space shall in all other respects conform to Section 59-45 of this Chapter.

#### E. Parking Design (see Section 59-42):

1. Parking shall conform to the following:
  - a. The parking is screened from direct street view by one (1) or more building facades, or by a fence and landscaping, or landscaping.
  - b. Parking between structures is only allowed when it is located to the rear of the principal structure and is served by an alley or private driveway.
  - c. Parking may not be located in the front yard setback. This does not apply to driveways that are required to access the site.
  - d. Parking may be located between any structure and the rear lot line of the lot or between any structure and a side lot line, which is not a street side lot line.

**F. Nonconformities.** On a lot to be used for a cottage court, an existing detached dwelling, two-dwelling, or townhouse that does not conform to this section may remain, but the extent of the nonconformity may not increase.

Table 59-123.1 Cottage Development Standards		
Abbreviations: acre (ac), accessory dwelling (AD), dwelling (dw), feet (ft), minimum (min), maximum (max), story (st), percent (%), not applicable (n/a), right-of-way (ROW), as established by applicable zone regulations in Article 2, Division 2 (Z)		
Key	Standard	Cottage Court
n/a	Density (max dw/ac)	Z
n/a	Useable Open Space (min)	400 sf per dwelling unit
A	Lot Area ( <i>min sf, cottage court</i> ) ( <i>no minimum lot area is required for individual cottages</i> )	10,000 or Z (whichever is less)
B	Lot Width ( <i>min</i> ) [1]	n/a
<b>Building Placement and Lot Coverage [2]</b>		
C	Front Setback ( <i>min</i> ) [3]	10' average, no less than 5'
D	Corner Side Setback (min)	5'
E	Interior Side Setback (min) [2]	5'
F	Rear Setback (min) [2]	10'
	Garage Setback (min)	
	- Street, Front	At or behind the principal building front wall
	- Alley	10'
	- Property Line	5'
G	Building Coverage (max, measured for the entire development site and not each individual dwelling)	50% or Z (whichever is greater)
n/a	Impervious Coverage (max)	70%

**Table 59-123.1 Cottage Development Standards**

**Abbreviations:** acre (ac), accessory dwelling (AD), dwelling (dw), feet (ft), minimum (min), maximum (max), story (st), percent (%), not applicable (n/a), right-of-way (ROW), as established by applicable zone regulations in Article 2, Division 2 (Z)

Key	Standard	Cottage Court
n/a	Density (max dw/ac)	Z
n/a	Useable Open Space (min)	400 sf per dwelling unit
<b>Building Orientation, Frontage and Transparency</b>		
n/a	Entrance Orientation	Front to useable open space or street
n/a	Frontage Type(s)	Porch/Terrace/Stoop
<b>Building Height</b>		
H	Height, Flat/Pitched (max) Stories	24'/28' 2.5
<b>Access and Parking</b>		
n/a	Street Types <b>[4]</b>	Connector/Minor or Major Arterial
n/a	Parking Location	Side or Rear
n/a	Parking Setback (min) - Street - Alley	n/a 5'
<b>Building Compatibility</b>		
	Sensitive edge	See Sec. 59-44, <i>Compatibility Standards</i>

**Notes:**

1. Although there is not a minimum lot width for a cottage court, driveways are allowed only every 50'.
2. All building placement and lot coverage metrics shall meet the City's Building codes and Fire codes and are subject to Sec. 59-38, *Landscape, Buffers Next to a Sensitive Edge*, where applicable.
3. Measured from the edge of the sidewalk or street right-of-way (if there is no sidewalk) to the nearest point of a dwelling.
4. Street types refer to the street cross-section fronting each pattern of development.

**Sec. 59-124 Cremating**

- A. Applicability.** This section applies to any cremating use. Subsections D through G below also apply to any cremation that is accessory to an interring use.
- B. Setbacks.** In addition to the setback requirements of the underlying zone, a cremating use shall be located at least the following distances (measured from the closest point of the building where the cremating use occurs to the nearest dwelling or zone boundary):
1. 400 feet from a dwelling, any RM-SD, UL-SD, UM-SD, UL-MR, UM-MD, or UH-MD zone, or any land lease community, and
  2. 100 feet from any other zone that does not allow cremating as a use.
- C. Access.** The use shall have direct vehicle access to a Minor or Major Arterial Street or a Highway.
- D. Incinerators.** Incineration equipment shall meet all applicable state and federal requirements and shall be licensed at all times.
- E. Storage.** All storage shall be inside.
- F. Incinerator Stacks.** Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.
- G. Religious Institutions.** For cremating uses associated with Religious Institutions, see Sec. 59-163.



## Sec. 59-125 Custom Manufacturing

A. **Applicability.** This section applies to Custom Manufacturing uses.

### B. Uses and Activities

1. Custom Manufacturing involves a Principal Building in which production, assembly, or repair occurs. These processes do not produce noxious by-products and involve the use of hand tools or small mechanical equipment that do not exceed 5 horsepower.
2. Accessory uses may include:
  - a. a showroom,
  - b. a retail outlet of up to 30% of the Principal Building space, which may include areas for onsite consumption of food or beverage products that are produced onsite,
  - c. offices,
  - d. warehouses/accessory structures, where provided in Table 59-125-1 below and subject to the maximum area in subsection C.2 and Table 59-125-1 below, and
  - e. Outdoor Storage, subject to subsection D below.
3. Accessory structures are subject to [Sec. 59-105](#) and any applicable design district.

### C. Size

1. The gross floor area of the Principal Building, excluding square footage for a dwelling or dwellings, is limited to 5,000 square feet.
2. Warehousing may occur in the Principal Building or an accessory structure, or both. The combined area devoted to warehousing within a Principal Building shall not exceed 15% of the gross floor area of the Principal Building.
3. Accessory structure warehousing may occur subject to the permissions for an accessory warehouse in Table 59-125-1 below.

### D. Outdoor Storage.

1. The total area devoted to outdoor storage, including storage in an accessory structure, shall not exceed the percent of lot area established for the applicable zone in Table 59-125-1.
2. All outdoor storage is subject to [Sec. 59-155](#) (Outdoor Display and Storage).

Table 59-125-1 Custom Manufacturing Warehouse and Outdoor Storage		
P = allowed   -- = not allowed   n/a = not applicable		
Zone	Accessory Warehouse	Outdoor Storage and Accessory Storage ( <i>combined area</i> )
		percent of lot area
UM-O, UM-MX, UH-MX	--	--
UM-MC	--	10%
DD-CB, DD-DT, DD-BC	P	10%*
RD-RC, RD-AC, EM-OT, EM-B, EM-IP	P	20%

\* Outdoor storage is allowed only within an accessory building.

### Standards Related to Custom Manufacturing:

Provisions	Notes
<a href="#">Sec. 59-37</a> , <i>Nuisance Standards</i> & Municipal Code Chapters <a href="#">34</a> (Noise) and <a href="#">35</a> (Nuisances)	Standards for noise and related nuisance factors



## Sec. 59-126 Drinking or Smoking Establishment

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- A. **Applicability.** This section applies to any Drinking or Smoking Establishment, except where a Smoking (only) Establishment is specifically exempted.
- B. **Offices.** Any Drinking or Smoking Establishment located within an office in the UL-MX (Mixed Use) UM-MC (Mixed Commercial), and UH-MX (Mixed High) zones:
1. Shall be located entirely within a [Principal Building](#) as an accessory use, and
  2. Shall have access from an interior lobby, hallway or interior courtyard, provided that one exterior entrance shall be permitted.
  3. Shall not collectively occupy more than ten percent of the gross floor area of the building.

C. **Location**

1. Location requirements do not apply to Smoking Establishments with no alcohol sales.
2. *Religious Institutions, Colleges and Universities, and Schools*
  - a. This subsection applies to "Drinking Establishment," which means: (1) any mixed beverage establishment, beer and wine establishment, or bottle club, which has been licensed by the Alcoholic Beverage Laws Enforcement Commission ("ABLE Commission") and which has as its main purpose the selling or serving of alcoholic beverages for consumption on the premises, or package store (as defined by [37A O.S. § 1-103](#)).
  - b. A Drinking Establishment use shall not locate within 300 feet of:
    1. Any Religious Institution property primarily and regularly used for worship services and religious activities, or
    2. Any Public or private College or University, Major School, or Minor school of the type which offers a compulsory education curriculum.
  - c. Distances are measured from the nearest property line of the public or private school, or church to the nearest perimeter wall of any Drinking or Smoking Establishment.
  - d. A Religious Institution, or a College or University located within an improvement district created pursuant to [11 O.S. 39-103.1](#) of the Oklahoma Statutes, may waive the 300-foot requirement pursuant to [37A O.S. § 2-139](#).
3. *Outdoor Seating/Activity Areas.* If food or beverages are consumed in an outdoor seating/activity area at any time between the hours of 10:00 p.m. and 7:00 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 are measured from the closest edge of the outdoor seating/activity area to the nearest property line of the residential use.

D. **Specific Use Permit Applications**

1. *Site Plans.* In addition to the Specific Use Permit site plan requirements (see [Article XII](#)), the location and dimensions of the area(s) designated for the sales and consumption of alcoholic beverages shall be shown on the site plan.
2. *Notification.* Applications for a Specific Use Permit 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 Specific Use 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.
3. *Expiration.* In addition to the conditions for expiration of a Specific Use Permit (see [Sec. 59-81](#)), a Specific Use Permit for a Drinking or Smoking Establishment expires if any of the following occurs for at least 12 months:
  - 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.
  - d. The State revokes or does not renew the operator's license.





## E. 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, are considered legally nonconforming. If the use was approved as a special permit or special exception and fails to continue operating in accordance with that approval, then the use is considered illegal.
3. Legal nonconformities will cease if any of the following occurs for at least 6 months:
  - 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 and consumption of alcoholic beverages on the premises ceases.
  - d. The use of the premises is changed to a use other than one relating to or authorizing the on-site consumption of alcoholic beverages.
  - e. The original special permit or special exception is revoked.
  - f. The State revokes or does not renew the operator's license.

## Sec. 59-127 Drive-Through

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- A. **Applicability.** This section applies to any drive-through facility, such as at a Financial Institution, a Restaurant, a Medical Service or any other use that employs a drive-up service window.
- B. **Where Allowed.** Drive-throughs are allowed as an accessory use where permitted in Sec. 59-22 Use Tables. A building that houses a Primary Use with no consumer walk-in activities inside the building, is entitled to accessory Drive-Through facilities where permitted in Sec. 59-22 Use Tables.
- C. **Screening.** Drive through stacking spaces shall be screened from ground view of public streets or from abutting parking lots or business with at a minimum vegetative screening.
  1. If the drive-through call box or driveway is located within 150 feet of a residential zone, a Type D buffer (see Sec. 59-38) is required along the lot line abutting or closest to the residential zone.
  2. If the drive-through call box or driveway (stacking spaces) is located adjacent to a street right of way or adjacent commercial zones, a Type B buffer is required between the driveway and the parcel boundary.
- D. **Walk-Up Order Windows.** Drive-Through only establishments must have a pedestrian walk-up order window:
  1. In a UM, UH, or DD zone, or
  2. Within 300 feet of a transit stop if the stop is present at building permit.
- E. **Stacking Spaces Required**
  1. A drive-through shall provide unencumbered stacking spaces and lanes as provided in Table 59-127-1:
  2. For uses with order boxes and pick-up windows:
    - a. At least 3 stacking spaces must be located between the street right-of-way and the order box, and
    - b. At least 3 additional spaces must be located between the order box and the pick-up window.
  3. For uses not listed below, the Planning Director may approve a lower number of stacking spaces if the applicant demonstrates that the use generates a lower demand for stacking spaces during peak traffic hours.





4. Additional design standards may apply in Overlay districts.

Table 59-127-1 Stacking Spaces for Drive-Through		
Use	Stacking Spaces ( <i>min</i> )	Measure From [2]:
Car Wash, automatic	5	Bay Entrance
Car Wash, self-service	2 per bay	Bay Entrance
Commercial Kiosk	2	Pick-Up or Service Window
Financial Institution	3	Teller Window or Machine
Gasoline Sales, Large	1	Each end of the outermost gas pump island
Medical Uses, including pharmacies	2 (UM), 4 per lane (all other zones)	Pick-Up Window
Personal Services or Retail <sup>[1]</sup>	4 per lane	Pick-Up Window
Restaurant or Food Service	3 per lane	Order Box
Other	3 per lane	Pick-Up or Service Window

[1] Refers to any use within these use categories in the Use Tables, unless otherwise listed.

[2] Measurements are from the street right-of-way and the items indicated in the "Measure From" column. As used in Table 59-127-1 the following terms are defined as:

"Bay Entrance" means an imaginary horizontal line connecting the ends of the walls enclosing a wash bay that are closest to the street.

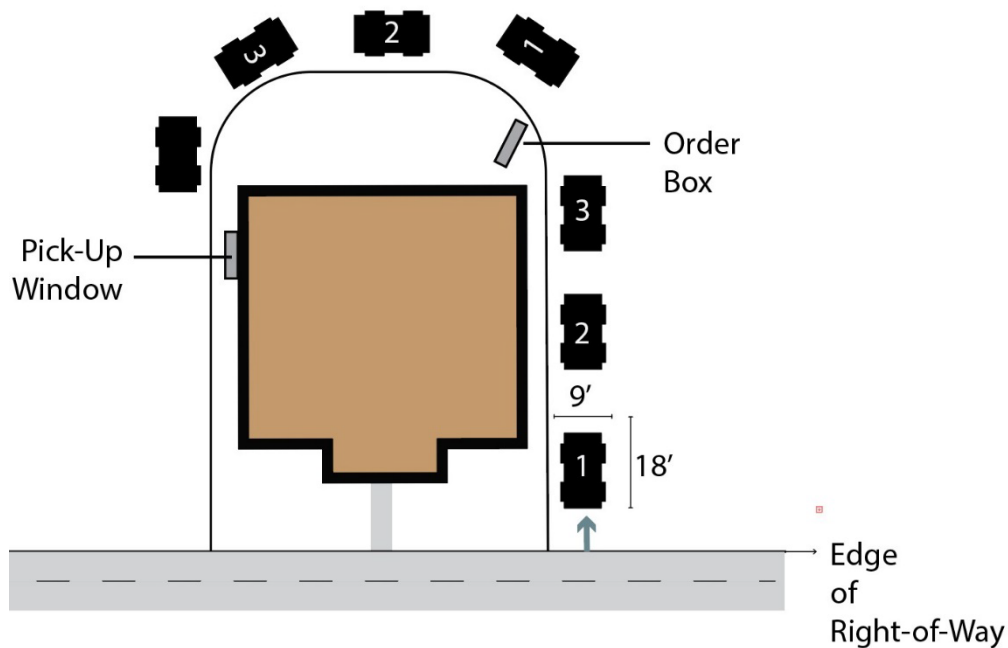
"Order Box" means a service point where customers in motor vehicles order food, services, or merchandise from the establishment.

"Pick-Up Window" means a service point where customers in motor vehicles pick up or pay for items that they ordered at an Order Box.

"Service Window" means a service point where customers engage in consumer transactions from their motor vehicles. Examples include bank teller windows where customers make deposits or withdrawals, or pharmacy drive-through windows where customers order and/or pick up prescriptions.



Figure 59-127-1 Order Board + Pick-Up Window Stacking



#### F. General Stacking Space Standards

1. No required stacking space or lane shall occupy any portion of a public right-of-way and shall not block any required parking spaces and or any access drive.
2. Stacking spaces shall be a minimum of 9 feet wide and 18 feet long.
3. Stacking spaces and lanes are not counted toward any minimum off-street parking or loading requirements of this Chapter.
4. Stacking spaces may be provided in the primary access aisle leading to a drive-through facility.

### Sec. 59-128 Emergency or Homeless Shelter and Feeding Sites

A. **Applicability.** This section applies to any Emergency Shelter and Feeding Site.

#### B. Applications for Approval

1. An application for a Specific Use permit 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.
2. The Planning Director shall prepare a report that identifies the following uses within 1 mile of the proposed facility: other Emergency Shelter and Feeding Sites, Supportive Housing, Forced Detention or Correction Facilities, Residential Facilities for Dependent and Neglected Children, Residential Facilities for Drug or Alcohol Treatment, and Transitional Residential Facilities for Mental Health. Staff shall provide the appropriate data and information to aid in any required decision pursuant to this Chapter.



3. The inordinate concentration of these uses is discouraged, and locations dispersed throughout the community are encouraged. The decision maker shall determine whether an inordinate concentration of these uses would result from the establishment of an additional Emergency Shelter and Feeding Site in the particular area. In determining whether an inordinate concentration would result in a negative impact on the surrounding community from approval of a particular application, the decision maker shall consider all facts and circumstances relating to the application and areas surrounding the proposed site, including, the differences or similarities in existing uses among these uses and the compatibility or incompatibility of those uses in the particular area.

### Sec. 59-129 Event Centers

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- A. **Applicability.** This section applies to any Event Center, General, or Event Center, Restricted use. This section does not apply to the DD-CB, DD-DT, or DD-BC zones.
- B. **Music.** Indoor or outdoor amplified music is not allowed after 11 p.m. if the use is located within 500 feet of a residential zone.

### Sec. 59-130 Farmer's Market

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- A. **Farmers Markets.** Farmers markets are allowed as a temporary use with approval of a Specific Use Permit as follows.
- B. **Duration.** The maximum duration is seventy-five (75) days in one (1) calendar year.
- C. **Location.**
  1. Farmers Markets shall be located:
    - a. On Civic use or public sites, or
    - b. Accessory to an Urban Farm, or
    - c. On lots of at least 20,000 square feet in size.
  2. Farmer's Markets are not allowed on the same lot as a Community Garden or a Home Garden, although a Farm Stand is allowed subject to Sec. 59-180 (Urban Agriculture).
- D. **Use Regulations.** A Specific Use Permit application shall comply with [Use Regulations](#) related to Farmer's Markets in 59-179 (Urban Agriculture).

### Sec. 59-131 Food Service

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- A. **Applicability.** This section applies to any Food Service use, such as a ghost kitchen or a drive-through only food business.
- B. **Accessory Uses.** Permitted accessory uses include delivery, indoor food manufacturing, warehouse and distribution facilities and fleets of vehicles used in operating the business, catering, pick-up windows for customer delivery, and culinary educational/incubator training. Accessory uses do not include additional services such as retail sales or on-site indoor dining.
- C. **Dimensional Standards**
  1. A food service use located in the UL-MX, UM-O, UM-MC, UM-MX, UH-MX, DD-CB, DD-DT, or DD-BC zones is limited to 8,000 square feet GFA.
  2. A property with a food service use that exceeds 8,000 square feet GFA shall be located at least 200 feet from a UL-SD or UM-SD zone.

### Sec. 59-132 Food Trucks and Food Truck Courts

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- A. **Applicability.** This section applies to any Food Truck or Food Truck Court.
- B. **Generally.** Food Trucks and Food Truck Courts are subject to all applicable provisions of Chapter 21, Article VIII of the Oklahoma City Municipal Code (Food Sales From Vehicles).



1. 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. **Downtown Restrictions.** Except for sales associated with an approved Revocable Permit, Administrative Revocable Permit, Special Event Permit or Activity Permit, no such sales shall be conducted within the following areas: Beginning at the northeast corner of Hudson Avenue and Dean A. McGee Avenue; thence proceeding north along the east side of Hudson Avenue to the southeast corner of NW 7th Street; thence proceeding east along the south side of NW 7th Street to the center of the north/south alley in Block 16, Oklahoma City Addition located between Robinson Avenue and Broadway Avenue; thence proceeding south along the center of the alleys in Blocks 16, 17, 18 and 19 to the north side of Dean A. McGee Avenue; thence west along the north side of Dean A. McGee Avenue to the northeast corner of Hudson Avenue.
- D. **Landscaping and Screening.** If a food truck remains at a location for at least 30 days, the following landscaping and screening requirements apply:
  1. A minimum setback of 8 feet or the setback required for the zone (whichever is less) shall be maintained between the food truck and a residential zone boundary.
  2. At least one of the landscaping and screening requirements shall apply:
    - a. The street tree requirements of Sec. 59-37, or
    - b. A vegetated buffer planted to include a mix of evergreen and deciduous trees and shrubs to result in a vegetative screen that is 75 percent opaque, or
    - c. Existing buildings located between the food truck and the front property line.

## **Sec. 59-133 Forced Detention or Correction Facilities**

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- A. **Applicability.** This section applies to any Forced Detention or Correction Facility.
- B. **Applications for Approval**
  1. An application for a Specific Use permit shall provide a location map showing the following uses within 1 mile of the proposed facility: Supportive Housing, Emergency Shelters and Feeding Sites, other Forced Detention or Correction Facilities, Residential Facilities for Dependent and Neglected Children, Residential Facilities for Drug or Alcohol Treatment, and Transitional Residential Facilities for Mental Health. The application shall provide appropriate data and information to aid in any required decision pursuant to this Chapter.
  2. The inordinate concentration of these uses is discouraged and locations dispersed throughout the community are encouraged. The decision maker shall determine whether an inordinate concentration of these uses would result from the establishment of an additional Forced Detention or Correction Facility in the particular area. In determining whether an inordinate concentration would result in a negative impact on the surrounding community from approval of a particular application, the decision maker shall consider all facts and circumstances relating to the application and areas surrounding the proposed site, including the differences or similarities in existing uses among these uses and the compatibility or incompatibility of those uses in the particular area.
- C. **Sex or Capital Offenders.** All applications for Specific Use Permit for uses in this category that house sex offenders or persons convicted of a capital offense, shall include written verification of compliance with Section 1, Chapter 136, Oklahoma State Law ([57 O.S. § 563.4](#)). This written verification shall include a notarized statement affirming compliance with the statute, a list of individuals notified by certified mail, and copies of the return receipts.

## **Sec. 59-134 Gasoline Sales**

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- A. **Applicability.** This section applies to any Gasoline Sales or Gasoline Sales, Restricted use.
- B. **Accessory Uses**
  1. Accessory uses include:



- a. Subject to the dimensional standards below, Retail Sales, Food and Beverage Retail Sales, or Personal Service uses, and
  - b. service or repair garages limited to Cleaning and Repairs, Light Equipment
2. The following are not allowed as accessory uses:
- a. for Gasoline Sales, Restricted, uses that create increased traffic, noise, or similar impacts that are incompatible with residential uses;
  - b. for all Gasoline Sales, firearms or marijuana sales; or
  - c. casinos.
- C. **Dimensional Standards.** Uses listed in subsection B.1.a above are limited to:
1. 5,000 square feet GFA for Gasoline Sales, Restricted, and
  2. 25% of the lot area for Gasoline Sales.
- D. **Pump Islands.** Pump islands shall be at least 12 feet from all street rights-of-way and interior lot lines.
- E. **Sensitive Edges.** Drive-thru facilities are not allowed adjacent to a Sensitive Edge.

### Sec. 59-135 Grocery Stores

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- A. **Applicability.** This section applies to any Grocery Store.
- B. **Accessory Uses.** Up to 25% of the floor area of the principal building may be occupied by the following accessory uses: restaurants, retail sales, financial services, personal services, and medical services. If the floor area exceeds 25%, the use is allowed only if the secondary use is allowed in the zone and the use meets applicable Use Regulations.
- C. Grocery Stores with no indoor customer sales and delivery – only sales must be located in a zone that allows Surface Goods, Truck Freight.
- D. Grocery Stores may only add Gasoline and Fueling Sales if the use is allowed in the Zone.
- E. In a UL-NC, any DD and any MX Zone, this use is limited to 25,000 square feet of ground floor area.
- F. Except for UM-MC2, MX and DD zones, the primary street frontage shall meet transparency requirements of the zone. Other street facing walls may achieve transparency requirements by meeting half of the percentage required in the zone.

### Sec. 59-136 Group Home Facility

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**Purpose:** *This section insures that all persons with a disability have equal opportunity to use and enjoy a dwelling by providing them with reasonable accommodations in rules, policies, practices, and procedures promulgated under this Chapter, consistent with the federal Fair Housing Act (FHA)(42 U.S.C.A. § 3601 et seq.), Americans with Disabilities Act (ADA)(42 U.S.C. § 12131 et seq.), and Rehabilitation Act (RA)(29 U.S.C. § 794(a)), and Oklahoma law.*

- A. **Applicability.** This section applies to Group Homes that exceed the definition of one household. Subsection B of this section does not apply to dwellings occupied by persons with a handicap (as defined by 42 U.S.C. § 3602), if the number of persons does not exceed the size of a household as defined by Article X of this Chapter.
- B. **Applications for Approval**
1. An application for a Specific Use permit 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.
  2. The Planning Director shall prepare a report that identifies the following uses within one mile of the proposed facility: other Group Home Facilities, Emergency Shelter and Feeding Sites, Supportive Housing, Forced Detention or Correction Facilities, Residential Facilities for Dependent and Neglected Children, Residential Facilities for Drug



or Alcohol Treatment, and Transitional Residential Facilities for Mental Health. Staff shall provide the appropriate data and information to aid in any required decision pursuant to this Chapter.

3. The inordinate concentration of these use units is discouraged and locations dispersed throughout the community are promoted. The decision maker shall determine whether an inordinate concentration of these uses would result from the establishment of an additional 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 decision maker shall consider all facts and circumstances relating to the application and areas surrounding the proposed site including the differences or similarities in existing uses among these uses and the compatibility or incompatibility of those uses in the particular area.

#### **C. Reasonable Accommodation.**

1. *Applicability.* An applicant for a Group Home Facility or any dwelling that provides housing for persons entitled to a reasonable accommodation under the federal Fair Housing Act (42 U.S.C. § 3602), Americans with Disabilities Act (42 U.S.C. § 12101 et seq.), or the Rehabilitation Act (29 U.S.C. § 701 et seq.) may request a reasonable modification to a property or improvements requested by, or on behalf of, a person with a disability. Any reasonable accommodation may expire when the person benefited by it is no longer in need of the accommodation, subject to the provisions of state and federal fair housing laws or the ADA. If a request for a reasonable accommodation is under the provisions of state and federal fair housing laws or the ADA, the Planning Director, Planning Commission or Board of Adjustment shall grant the request unless it requires a variance.
2. *Initiation.* The method of submitting a request for reasonable accommodation is as follows:
  - a. A request for a reasonable accommodation may be submitted at any time the accommodation becomes necessary to ensure equal access to housing.
  - b. A request for a reasonable accommodation may be submitted by an individual with a disability, the person's representative, or a permit holder providing housing for one or more individuals with disabilities.
  - c. A request for a reasonable accommodation must be submitted in writing to the Planning Director on the form provided by the Director or in the form of a letter.
  - d. There is no fee for an application requesting a reasonable accommodation.
  - e. If an individual needs assistance in making a request for a reasonable accommodation, the City will provide assistance to ensure that the application process is accessible to the individual.
  - f. An applicant shall submit the following information before an application for a reasonable accommodation is considered complete:
    1. The applicant's name, mailing address, street address, telephone number, and email address.
    2. The applicant's relation to the individual(s) with a disability, if applicable.
    3. The address of the property to which the requested reasonable accommodation would apply.
    4. A disability determination by the Social Security Administration or the Department of Veteran's Affairs, or a substantially equivalent medical determination, that substantiates that the individual who would obtain the benefit of the reasonable accommodation is:
      - i. An individual with a physical or mental impairment that substantially limits one or more major life activities.
      - ii. An individual who is regarded as having such an impairment; or
      - iii. An individual with a record of that impairment.
    5. The section(s) of this Chapter from which a reasonable accommodation is requested; and
    6. A brief explanation of why the requested accommodation is necessary for the individual or individuals with disabilities to have equal access to housing.
3. *Decision.* Upon receipt of a complete application for a reasonable accommodation, the Planning Director shall review the application and issue a written ruling that grants, grants with conditions, or denies the application.



- a. Before making a decision, the Planning Director may request an inspection of the facility and the property on which it is located. If the Director makes that request, the applicant must make the property, the facility, and its records available for the inspection within 20 days after the date of the request or the application is automatically denied.
  - b. If the Planning Director deems it necessary to request additional information from the applicant consistent with federal and state law, the Director shall contact the applicant in writing and specify the additional information that is required. If the director makes such a request, the applicant must provide the additional information to the director within 20 days after the date of the request or the application is automatically denied.
  - c. The Planning Director shall submit proposed reasonable accommodation decisions to the Municipal Counselor for legal review to determine compliance with local, state, and federal laws and regulations.
  - d. The director may impose reasonable conditions on any accommodation granted consistent with the purpose of this article.
  - e. The director shall issue a written decision within 20 days of:
    1. Receipt of a completed application, if that the director is able to issue a decision based on the information provided in the original request; or
    2. The completed inspection of the property, facility, and its records, as requested by the director; or
    3. The director's receipt of all additional requested information.
  - f. The director's written decision must explain in detail the basis of the decision and notify the applicant of the right to appeal the director's decision to the Board of Adjustment.
4. *Criteria.* The written decision must be consistent with the FHAA and based on a consideration of the following factors:
- a. Whether the housing that is the subject of the request will be used by one or more individuals with a disability.
  - b. Whether the requested accommodation is necessary to make specific housing available to one or more individuals with a disability.
  - c. Whether the requested accommodation would impose an undue financial or administrative burden on the City.
  - d. Whether the requested accommodation would require a fundamental alteration in the nature of city regulations.
  - e. The potential impacts of the requested accommodation on the applicant, the other residents of the boarding home facility, and the surrounding neighborhood.
  - f. Whether a failure to grant an accommodation would result in the property having no economically viable use; and
  - g. Whether there are alternative accommodations that are reasonable and have an equal, or less of an impact on the city, applicant, other residents of the boarding home facility, and the surrounding neighborhood.
5. *Appeal.* The applicant may appeal a decision of the Planning Director to the Board of Adjustment pursuant to Sec. 59-\_\_\_\_\_.

## **Sec. 59-137 Hazardous Waste Disposal**

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- A. **Applicability.** This section applies to any Hazardous Waste Disposal use.
- B. **Lot Area.** The site shall be at least 20 acres in size.
- C. **Indoor Activities Only.** All maintenance, repair, and mechanical work shall be performed in enclosed buildings unless the zone regulations permit otherwise.
- D. **Character.** The uses shall be open in character and essentially free of development.
- E. **Location**
1. A Hazardous Waste Disposal use shall be located at least:





- a. 1,000 feet from any building or structure not a part of the disposal site that is used continuously or intermittently for human occupancy, and
  - b. 150 feet from any Interstate or State Highway, and
  - c. 1,500 feet from any drainage canal, lake, stream, navigable waterway, or regulatory floodway.
2. The setback line for any disposal facility shall be not less than 100 feet from any lot line.
- F. **Fencing.** A chain-link fence or wall at least 8 feet in height from finished grade shall be provided around the use. Signs warning of the potential hazard, 4 square feet in area, shall be posted along the fence at 200-foot intervals.
- G. **Access.** Access shall be through a locked gate.

## Sec. 59-138 Home Occupation

A. **Applicability.** This section applies to any Home Occupation, including a Family Day Care Home. Businesses that occur in a dwelling that are not listed separately in Table 59-139-1 are not regulated by this section.

B. **Permitted Home Occupations.** The following home occupations are permitted in the zones listed below:

Table 59-138-1 Permitted Home Occupations		
Type of Business	Zones [P = permitted by right // -- = not allowed]	
	RL or RM	All Other
Acupuncture	P	P
Artist studio (i.e., the working place of a painter, sculptor, photographer, graphic artist, architect, landscape architect or fiber artist, with incidental sales of artwork)	P	P
Catering businesses limited to food preparation for off-premises delivery, with no more than 1 nonresident employee and 1 customer on the premises at any time. The business shall be on property of at least 10,000 square feet and may be in the dwelling unit or in an accessory building subordinate to the dwelling in size and use	P	--
Family Day Care Home	P	P
Home Food Establishment/Home Garden Farm Stand	P	P
Instruction with a single instructor and up to 5 students at any one time	P	P
Nail salons, beauty parlors, massage therapy and barber shops with one chair for service	P	P
Offices for accountants, architects, attorneys, clergymen, engineers, graphic designers, marketing, medical practitioners, and similar professions (N)	P	P
Pet grooming services, limited to no more than 2 pets for services on the property at one time	P	--
Retail businesses involving home party, or internet or mail-order sales, with temporary storage of merchandise permitted prior to delivery	P	P
Taxidermy	P	--
The creation, production, and storage within the dwelling and allowed accessory buildings, for sale at another location, of tangible objects of art or craft or other items	P	P

C. **Generally.** The following standards apply to any home occupation, except as provided in Table 59-138-1:

1. A home occupation shall be owned and operated by a person who lives in the principal dwelling or an accessory dwelling.
2. Except as provided in Table 59-138-1, no more than one person shall be employed who does not live on the premises.
3. No signs for home occupations are allowed.





4. The dwelling shall not be altered to attract business.
5. No additional curb cuts are permitted.
6. No front yard area, other than the driveway providing access to a garage, shall be paved, altered, or used to park vehicles.
7. Retail uses involving the sale, production, or storage of goods from a dwelling are not allowed unless the use is listed in Table 59-138-1.
8. No material or equipment shall be stored outside the confines of the dwelling or, where permitted in Table 59-138-1, an accessory structure.
9. No mechanical equipment that creates a disturbance, such as noise, dust, odor, or electrical disturbance, shall be used.

## **Sec. 59-139 Home Sharing/ Short Term Rental**

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**A. Applicability.** This section applies to any home sharing/short term rental use.

**B. Generally.**

1. The rental of the entire dwelling or portion of the dwelling is less than 30 consecutive days per renter/guest.
2. The host is subject to any applicable building or fire codes adopted by the City, including any requirements for working smoke detectors, a carbon monoxide detector, and a functioning fire extinguisher.
3. The host must obtain a home sharing/short term rental license. See Chapter 13-510.
4. All applicable fees and taxes must be collected and paid.

**C. Special Exception**

1. *Applicability.* A special exception must be obtained for home sharing/short-term rental where the dwelling:
  - a. is not the primary residence of the host; or
  - b. is the primary residence of the host but the host engages in home/sharing short term rental for more than ten (10) nights in a calendar month; or
  - c. is located within the boundaries of a Historic Preservation District, in which case the home sharing/short term rental accommodation shall be located on the same parcel as the host's primary residence and the host's primary residence shall be occupied by the host at the time of the rental.
2. *Expiration.* A special exception pursuant to this subsection may be granted for a maximum period of up to 3 years. Before the time period expires, if the applicant desires to continue the use, the applicant shall file a timely renewal application for a special exception and have the case reviewed and approved by the Board of Adjustment. For purposes of this section, a renewal application will be considered timely if it is accepted by Planning Department staff prior to the expiration date of the previous special exception. If the application desires to continue the use but has not submitted a timely renewal application, the application shall be considered a new application.
3. *Pre-Existing Non-Resident Home Sharing.* A special exception is not required for any property if, prior to January 15, 2019, lodging accommodations in a dwelling or room(s) in a dwelling were provided for rent for a temporary period not less than 30 consecutive days per guest and for which a home sharing license was granted by the Supervisor of Licenses pursuant to Section 13-510 of this Code.
4. *Limitations In a Block.* A special exception to operate a home sharing/short term rental accommodation shall not be approved for more than ten percent (10%) of the total number of dwellings in a platted block or, if unplatted, the total number of dwellings in a block, as that term is defined in this Chapter; provided this subsection shall not prevent the timely renewal of any home sharing/short term rental Special Exception that was lawfully issued to the operator of the home sharing/short term rental accommodation prior to the effective date of this ordinance. If staff is unable to determine the total number of dwellings in a block or platted block, staff may require an applicant to



submit a listing of all such dwellings. At least one (1) home share/short term rental special exception shall be allowed on each block or platted block regardless of the number of dwellings.

5. **Parking Required.** When applying for a special exception, the applicant shall provide the Board of Adjustment a site plan or photo showing the parking spaces to be used in conjunction with the home sharing/short term rental accommodation. The home sharing/short term rental accommodation shall provide one off-street parking space for every four occupants, provided that driveways which are eight and one-half feet in width or less will be limited to a maximum of two (2) vehicles and driveways which are in excess of eight and one-half feet in width will be limited to a maximum of four (4) vehicles.; provided nothing in this subsection shall not prevent the timely renewal of any home sharing/short term rental Special Exception that was lawfully issued to the operator of the home sharing/short term rental accommodation prior to the effective date of this ordinance.
6. **Restrictive Covenants.** When evaluating an application for a home sharing/short term rental Special Exception, the Board of Adjustment may consider as a basis for denial any restrictive covenant which both 1) specifically identifies home sharing/short term rental, as that term is defined in Section 13-500 of this Code, as a prohibited use of the real property on which the use would occur and 2) is filed of record against the real property on which the use would occur; provided this subsection shall not prevent the timely renewal of any home sharing/short term rental Special Exception that was lawfully issued to the operator of the home sharing/short term rental accommodation prior to the effective date of this ordinance.
7. **Neighborhood Access.** When evaluating an application for home sharing/short term rental Special Exception, the Board of Adjustment may consider as a basis for denial concerns regarding vehicular traffic that may be hazardous or in conflict with the existing and anticipated traffic in the neighborhood, which may include but not be limited to existence of a cul-de-sac near the site, the width of the streets, ingress and egress from the neighborhood, and access for first responders.

## **Sec. 59-140 Industrial, Heavy-Hazardous**

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A. **Applicability.** This section applies to any Heavy Industrial use.

B. **Dimensional Standards**

1. The site shall be at least 5 acres.
2. No part of the use occurs within 1,000 feet of a residential district (this does not apply to a caretaker unit).
3. The minimum setback for any part of the use, including outdoor storage but excluding employee parking and landscaping, is 100 feet from any lot line, or greater if as a condition of a specific use permit.

C. **Fence.** A chain-link fence or wall at least 8 feet in height (measured from finished grade) is required around the use. Signs of approximately four-square feet in area shall be posted along the fence at 200-foot intervals warning of any potential hazard.

D. **Nuisance.** A specific use permit and building permit shall include attenuation measures for any operations that may create a nuisance, including noise, dust, light or vibration that may extend beyond the property. Measures may include vertical landscaping, such as trees and berms, noise cancelling equipment, fences of materials that absorb sound or other methods. Any landscaping required for attenuation shall be in addition to the requirements for industrial uses in Section 59-36.

## **Sec. 59-141 Interring**

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A. **Applicability.** This applies to any Interring use. For interring uses that are accessory to a Religious Institution, see [Sec. 59-162](#).

B. **Parking.** Off-street parking or loading spaces shall be located a minimum of 20 feet from any lot line abutting a residential district.

C. **Setback.** Structures permitted as a part of the use (including on-site columbarium, crematoriums, mausoleums and funeral homes) shall be surrounded on two or more sides by the cemetery grounds and shall be setback at least 75 feet from a street and 20 feet from a residential zone.



**D. Existing Uses.** Uses that are legally in existence at the time of adoption of this chapter may expand without requiring a specific use permit if the expansion does not increase the floor area of the establishment by more than 25 percent.

### Sec. 59-142 Kennel, Boarding and Veterinary

**A. Applicability.** This section applies to any Boarding and Veterinary Kennel use.

**B. Setback-Outside Runs.** No outside runs shall be located within 50 feet of a residential zone.

**C. Fencing-Outside Runs.** All outside runs shall be fenced. When the parcel abuts any zone that allows residential or office uses, fencing shall be constructed of a material that attenuates sound, including vinyl, composite materials, commercial acoustic materials or other sound-attenuating materials with Noise Reduction Coefficient ratings of .7 or higher.

### Sec. 59-143 Land Lease Communities

**Purpose:** This section -

- provides affordable housing and housing type variety in the form of detached dwellings placed on a single parcel, typically on individual spaces that are rented to households, and
- allows for the use of dwellings that meet Federal Manufactured Housing Construction and Safety Standards ("HUD Code"), and
- encourages conservation of natural resources and makes better use of existing infrastructure by regulating by density rather than by minimum lot area.

**A. Applicability.** This section applies to Land Lease Communities. This section does not apply to manufactured homes, tiny homes, or detached dwellings on individual lots. [See Sec. 59-147 for Manufactured Dwellings, Detached on individual lots.]

**B. Use Regulations.** The following uses are permitted in a Land Lease Community:

Table 59-143-1 Permitted Uses in Land Lease Communities	
Principal Uses	Accessory Uses
<ul style="list-style-type: none"><li>▪ Manufactured Dwellings</li><li>▪ Detached Dwellings</li><li>▪ Two-Dwellings, including Manufactured attached dwellings</li></ul>	<ul style="list-style-type: none"><li>▪ Accessory buildings of permanent construction necessary to operate and maintain a Land Lease Community (excluding retail sales or professional office uses within the above accessory buildings)</li><li>▪ Useable open space, parking areas, or any other site features required by Article III (Development Standards)</li><li>▪ Any other accessory structures or uses allowed for residential uses in Sec. 59-105</li></ul>

**C. Dimensional Standards.** A Land Lease Community is subject to the standards of the applicable zone, in addition to the following:

1. *Minimum Parcel Size.*

- a. RL and RM zones: 10 acres.
- b. All Other Zones: 5 acres.

2. *Lot Area/Density.* Minimum lot area of a zone does not apply to individual dwellings in a land lease community. However, the use maximum density is subject to the dimensional standards of the applicable zone and only one dwelling per rental space is allowed. A Two-Dwelling housing type may extend across two rental spaces.

3. *Setbacks.* Required setbacks do not apply to individual rental spaces. However, the front, side and rear setbacks of the applicable zone apply to the development parcel.

4. *Street Type.* Land Lease Communities shall abut and have their primary means of ingress and egress on streets classified, at a minimum, as a Minor Arterial as specified in the Comprehensive Plan.



#### D. Design Standards

1. *Orientation.* All dwelling units shall be oriented to a public or private street or useable open space.
  2. *Minimum width of a rental space.* To accommodate placement of a manufactured dwelling in a land lease community, the width of a rental space shall be at least 40% greater than the width of the manufactured dwelling to be placed, as measured along the fronting private road or drive.
  3. *Buffer.* The development site shall include a type "A" buffer along any side or rear boundary, unless a Sensitive Edge buffer is required. In addition, a land lease community shall meet residential development buffer standards (see Sec. 59-38.D).
  4. *Buffer to Sensitive Edges.* A Buffer Type C is required between a Land Lease Community and any Sensitive Edge, including an abutting edge or one located across a public street. The buffer strip shall contain no roads or drives, individual rental spaces, buildings, or other structures, except for sight-proof screening.
  5. *Open Space.* Landscaped open space shall be provided in the ratio of at least 400 square feet per individual rental space. Required buffer areas may count toward this square footage requirement.
  6. *Accessory Structures.* One accessory structure no larger than 250 square feet is permitted per space.
  7. *Parking.* Parking for vehicles other than a manufactured dwelling shall have the same requirements as detached dwellings and shall be located within or adjacent to the dwelling.
- E. *Laundry facilities.* At least one service building shall be provided in each land lease community to house sanitation and laundry facilities. Service buildings shall:
1. Be located no less than 25 feet and no more than 200 feet from any dwelling.
  2. Be of permanent construction and adequately lighted per the standards of 59-40.
  3. Use moisture-resistant materials on the building's interior and exterior to permit frequent washing and cleaning.
  4. Have adequate heating facilities to maintain a temperature of 70 degrees Fahrenheit during cold weather in compliance with Oklahoma City adopted Mechanical Code, and to supply adequate hot water during peak demands in compliance with the Oklahoma City adopted Plumbing Code.
  5. Meet the Oklahoma City Mechanical Code for ventilation and effectively screen all openings.
  6. Provide one laundry unit for every 30 manufactured dwelling rental spaces. Laundry facilities shall be in a separate soundproof room of a service building or in a separate building. A laundry unit shall consist of not less than one laundry sink, one clothes washing machine and one clothes dryer.

### Sec. 59-144 Library and Community Centers

A. **Applicability.** This section applies to any Library and Community Center use. See Use Table (Sec. 59-22) for permissible locations.

#### B. Dimensional Standards

1. Minimum lot area is as follows:

Table 59-144-1 Minimum Lot Area for Library Services and Community Centers	
Adjacent Zone or Use*	Lot Area (min)
RL-AG, RL-AR, RM-SD	80,000 sf
UL-SD, UL-MD, UM-SD / UM-MD / Land Lease Community	40,000 sf

\* If the use is adjacent to zones in more than one category, the largest minimum lot area applies. *Example: a proposed Community Center abuts an RM-SD zone on one side (requiring an 80,000 square foot lot) and a UL-SD zone on the other (which would only require a 40,000 square foot lot). The use is subject to the largest minimum lot size, or 80,000 square feet.*



- C. **Access.** The site shall front or have direct access to a street that meets the minimum design standards for a Major Connector Street, Main Street, Downtown Street except for a Neighborhood Downtown Street, a Minor Arterial, or a Major Arterial street.
- D. **Parking.** Off-street parking or loading spaces shall be located at least 20 feet from any lot line abutting a residential zone.

### Sec. 59-145 Livestock Auctions

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- A. **Applicability.** This section applies to Livestock Auctions in the RL-AG, RL-AR, RL-RC, and RM-RC zones.
- B. **Lot Area.** Minimum lot area is the greater of 5 acres or the lot area required by the applicable zone.
- C. **Setbacks.** No building or animal containment area shall be located within 50 feet of any property line.

### Sec. 59-146 Live-Work Dwelling

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- A. **Applicability.** This section applies to any Live-Work Dwelling.
- B. **Dimensional Standards.** The dwelling, including the combined residential living space and workspace, shall not exceed 3,000 square feet GFA.
- C. **Entry.** The commercial space shall have an exterior entry on a public street.
- D. **Employees.** Up to 3 onsite employees who do not live in the Live Work Dwelling may be employed in the commercial space.

### Sec. 59-147 Manufactured Dwelling, Detached

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- A. **Applicability.** This section applies to any Detached Manufactured Dwelling.
- B. **Location.** Detached Manufactured Dwellings are allowed:
  - 1. on an individual lot (see Sec. 59-22 (Use Tables)), (*note: this does not supersede any restrictive covenants or overlay district regulations*), or
  - 2. as part of a Land-Lease Community (see [Sec. 59-143](#)).
- C. **Generally.** Where permitted in the applicable zone, a Manufactured Dwelling, Detached is subject to all zoning requirements and to all subdivision regulations for a Detached Dwelling.
- D. **Installation.** The manufactured home shall be set up in accordance with the recommended installation procedures of the manufacturer and state and federal law. [*Note: see OAR 765:37 for manufactured home installer's license rules of the Oklahoma Used Motor Vehicle, Dismantler, and Manufactured Housing Commission*]
- E. **Site Design**
  - 1. Stairs, porches, entrance platforms, ramps, and other means of entrance and exit to and from the home shall be installed or constructed in accordance with the City's Building Codes and attached firmly to the primary structure and anchored securely to the ground.
  - 2. Gas utilities should be installed according to the International Fuel Gas Code. See Chapter 31.
  - 3. Exterior veneer building materials of a Primary Dwelling must be compatible with at least 50 percent of the existing homes on the block face unless the number of vacant lots exceeds the number of existing homes.

### Sec. 59-148 Marijuana Processing

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- A. **Applicability.** This section applies to Agricultural Processing: Medical Marijuana Growing; and Marijuana Processing, General and Restricted uses.
- B. **Enclosed Buildings.** All uses must be located inside an enclosed building.



- C. **Drive-Through.** Drive-through windows and drive-through lanes are prohibited.
- D. **Heat.** Any activity or operation producing heat shall be conducted and ventilated so that no heat is detectable at any point outside of the tenant space or building where the activity is located. Any continuous, frequent, or repetitive discharge or emission of heat shall not increase the general temperature by one (1) degree Celsius or more at or beyond the building or tenant space from which it is emitted.
- E. **Ventilation/Air Filtration.** A ventilation/air filtration system that prevents odor from being detectable at the boundaries of the lot within which the building housing the medical marijuana processing facility is located. However, if the use is located in a multiple-tenant building, the ventilation/air filtration system must prevent odor from being detectable outside the tenant space housing the use.
- F. **Security.** An electronic security system and surveillance cameras shall be utilized.
- G. **Licensing**
  - 1. Medical marijuana processing facilities must be conducted and maintained in compliance with the license issued by the Oklahoma Medical Marijuana Authority and in compliance with Oklahoma law, including but not limited to all applicable statutes, rules, and regulations.
  - 2. No medical marijuana processing facility shall be permitted or maintained unless there exists a valid license, issued by the Oklahoma Medical Marijuana Authority for the particular use at the particular location.

### **Sec. 59-149 Medical Marijuana Dispensary**

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- A. **Applicability.** This section applies to any Medical Marijuana Dispensary.
- B. **Setbacks.** State law establishes setbacks for Medical Marijuana Dispensaries. [*Note: 63 O.S. § 425 prohibits medical marijuana dispensaries within 1,000 feet of any public school or private school.*]
- C. **Alcohol Sales Prohibited.** A Medical Marijuana Dispensary shall not sell alcohol beverages (as defined in the 37A O.S. § 1-103) on the same premises.
- D. All uses/activities must be located inside an enclosed building.
- E. An electronic security system and surveillance cameras shall be utilized.
- F. No medical marijuana dispensary shall be permitted or maintained unless there exists a valid license, issued by the Oklahoma Medical Marijuana Authority for the particular use at the particular location.
- G. A ventilation/air filtration system that prevents odor from being detectable at the boundaries of the lot within which the building housing the medical marijuana processing facility is located, except that if such use is located in multiple-tenant building, the ventilation/air filtration system must prevent odor from being detectable outside the tenant space housing the use.

### **Sec. 59-150 Mining and Processing: Minerals and Raw Materials**

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- A. **Applicability.** This section applies to any Mining and Processing, Minerals and Raw Material use.
- B. **Setbacks**
  - 1. The use is not permitted within 200 feet of a habitable dwelling, (other than a caretaker unit).
  - 2. Excavation, stockpiling of material, or accessory or incidental use of the mining operation is not permitted within 70 feet of any property line, street right-of-way line, or drainage or utility easement.
- C. **Restoration Plan.** A restoration plan shall be submitted with any zoning application that includes:
  - 1. Final proposed topography of the site after all proposed restoration is completed.
  - 2. Proposed depth of topsoil, and a vegetation and landscaping plan.
  - 3. A drainage plan showing the direction of all drainage during excavation and after restoration.
- D. ADD REDEVELOPMENT AUTHORITY REQUIREMENTS FROM 13450.6 E





## Sec. 59-151 Model Home

A. **Applicability.** This section applies to any Model Home.

B. **Parking**

1. The parking lot must be adjacent to a permitted model home. The parking lot must be completely removed when the model home reverts to residential use.
2. The lot shall be constructed of asphalt millings and consist of either ground up (crushed) asphalt or millings from a milling machine (PR 800-7 or approved equal). The compacted thickness of the "recycled millings" shall be a minimum of four inches thick.

C. **Screening.** The side and rear of the lot abutting other dwellings should be screened with a six (6) foot sight-proof fence, which may not extend beyond the front of the model home.

D. **Sidewalks.** Sidewalks must be installed across both the model home and the parking lot.

E. **Landscaping.** A ten-foot landscape strip must be installed between the public sidewalk and parking area, and a five-foot strip along the side and rear of the lot. The lot should be landscaped with trees and shrubs.

F. **Lighting.** No lighting is allowed other than low-voltage landscape fixtures.

## Sec. 59-152 Multi-Dwelling

A. **Applicability.** This section applies to any Multi-Dwelling.

B. **Accessory Uses.** In addition to residential accessory uses and structures (see Sec. 59-102), accessory uses and structures may include:

1. Common elements such as indoor and outdoor recreational facilities such as swimming pools, saunas, game and craft rooms, exercise and dance studios, community meeting rooms, lounges, playgrounds, tennis and other courts, bike and walking trails, and pedestrian plazas and courts.
2. Bike racks, street furniture, and drinking fountains, art sculptures, and other pedestrian and transit amenities.
3. Rental and development information offices.
4. Maintenance buildings for the development.
5. Self-service laundry facilities.
6. Family day-care.
7. Transit stop.
8. Parking garages.

## Sec. 59-153 Neighborhood Business

A. **Applicability.** This section applies to any Neighborhood Business use.

B. **Office zones.** This use is allowed within a building in an UL-O or UM-O zone; however, all square footage of this use is limited to 15% of the total square footage of the building or 10,000 square feet whichever is more restrictive.

C. **Impacts**

1. **Height.** Building walls located within 50 feet of a single-dwelling residential zone shall not exceed 35 feet or two stories in height.
2. **Noise.** Uses and activities shall not generate sound levels exceeding the following at the property line, using the methodology set out in Chapter 34 of the Oklahoma City Municipal Code:

Table -1 Sound Limits for Neighborhood Business		
Time	Percentile sound level limits, dBA	
	L <sup>90</sup>	L <sup>10</sup>
7:00 a.m.—10:00 p.m.	55 dBA	65 dBA
10:00 p.m.—7:00 a.m.	50 dBA	60 dB





- D. **Traffic.** Uses and activities shall not generate more than 50 vehicle trips per day, based on the Institute of Transportation Engineers, *Trip Generation* (11th Ed.), which is incorporated by this reference.
- E. **Drive-Through/Drive-In.** A drive-through or drive-in use accessory to a Principal Use is prohibited unless the drive-through or drive-in lanes are located a minimum of 150 feet from a residential zone or use, except for parcels along a Highway, a Highway access road or on Major Arterials with a minimum of 100 feet of Right of Way.
- F. **Outdoor Storage.** Outdoor storage is prohibited. For Outdoor Sales see Sec. 59-155.

### Sec. 59-154 Neighborhood Park

A. **Applicability.** This section applies to any Neighborhood Park.

B. **Generally**

1. The site shall have direct access to a street that meets the minimum design standards for a Major or Minor Connector, Minor Arterial, or Major Arterial Street as designated on the Comprehensive Plan, unless otherwise approved on a preliminary or final plat or an approved Park Master Plan.
2. Lighted outdoor facilities and sport courts shall be located at least 50 feet from any property line that adjoins a residential use. Outdoor lighting shall that abuts or is located across a street from residential parcel shall meet the requirements of Sec. 59-40 Lighting.
3. Off-street parking or loading spaces shall be located at least 20 feet from any lot line abutting a residential zone.

### Sec. 59-155 Outdoor Display and Storage

A. **Applicability.** This section applies to any Outdoor Display or Outdoor Storage. This section does not apply to uses in the Agriculture use category.

B. **Generally**

1. All Outdoor Display and Outdoor Storage is subject to this section and all other applicable codes and ordinances.
2. No public sidewalk or street right of way shall be used for Outdoor Display or Outdoor Storage, except for an approved temporary special merchant promotion authorized by the City.
3. No Outdoor Display or Outdoor Storage area shall impede the Sight Distance Triangle, See [Sec. 59-35](#).

C. **Use Permissions.** Table 59-155.1 delineates uses that are permitted to have Outdoor Display and/or Outdoor Storage, accessory to the stated use, and subject to the regulations of this section. Outdoor Display and Outdoor Storage for uses not listed in this Table may be allowed subject to the regulations of that Use in another Section.

Table 59-155.1 Use Permissions for Outdoor Display and Outdoor Storage		
* KEY: P = Permitted // C = Certificate of Approval // SP = Specific Use Permit. // -- = not allowed		
Use Category or Use	Outdoor Display	Outdoor Storage
Automotive Auction	P	P
Automobile and Vehicle Sales and Rental	P	P
Automobile and Vehicle Sales and/or Auctions, Online Only	--	P
Automobile Vehicle Impound Yards and Damaged Vehicle Auctions	--	P
Cleaning and Repairs, Heavy or Light Equipment	--	P
Construction Sales and Services	P	P
Extractive Uses	--	P
Gasoline Sales	P	
Grocery Store	P	P
Horticulture	P	P
Industrial Uses	--	P



**Table 59-155.1 Use Permissions for Outdoor Display and Outdoor Storage**

**\* KEY: P = Permitted // C = Certificate of Approval // SP = Specific Use Permit. // -- = not allowed**

Use Category or Use	Outdoor Display	Outdoor Storage
Neighborhood Business	P	
Retail Sales	P	
Transportation	--	P
Utilities & City Services	--	P

#### **D. Outdoor Storage**

1. **Location.** No Outdoor Storage area shall be located within the front setback.

2. **Screening.**

- An Outdoor Storage area that can be viewed from the ground level of a public street shall be screened by fences or walls, and plantings.
- An Outdoor Storage area shall not be stacked or extended above the required sight-proof screening.
- In an Industrial zone, painted or coated chain-link fencing and landscaping that is required by another Section of Chapter 59 is an acceptable form of screening unless the Outdoor Storage area abuts or is located across the street from any residential use or zone.
- In the EM-IP and IH-II zones, property used for the outside storage of usable materials not actively offered for sale, and where there is no other primary use on the property, is subject to the following conditions:
  - Sight-proof screening, in accordance with Section 59-36 (Fences, Walls and Screening) is required on all sides of the property abutting or visible from a public street, excluding gates.
  - All gates that are not sight-proof must be equipped with screening slats to reduce visibility into the site from the abutting street.

3. **Vehicle Awaiting Repair**

- No vehicle awaiting repair shall be stored outside for longer than 45 days.
- Vehicles or equipment permitted to be stored outside while awaiting repair shall be screened by a minimum Type B buffer (See Section 59-38, Landscape Buffering) along any street or property line abutting or across a public street from a residential zone. Screening of vehicles awaiting repair adjacent to or abutting a residential zone also may, instead of landscaping, be screened by a sight-proof fence or a building

**E. Outdoor Display.** Outdoor display is subject to the regulations below and other related Sections of the Code.

1. **Generally**

- Articles not actively offered for sale shall not be stored on a temporary or permanent basis outside an enclosed building, with the exception of living plant materials
- Materials or products actively offered for sale may remain outside only during the normal working hours of the business, with the exception of plant materials which may remain outside after business hours.

2. **Location**

- Not within a public sidewalk or street right of way, except for a temporary special merchant promotion authorized by the City.
- Must be located behind the front building setback line, with the exception of Automobile and Vehicle Sales and plants displayed at garden centers.
- Not within 20 feet of any side or rear lot line abutting a residential use

3. **Types of Display Allowed**

- For all uses where outdoor sales is permitted, outdoor display must be related to the use or uses of the principal building.
- Special sales merchandise



1. -4 times per year, up to 6 consecutive calendar days
2. limited to the private sidewalk in front of the store
- c. Temporary special merchant promotions (4 times per year, up to 6 consecutive calendar days).

F. **Tires.** Tires shall not be stored outside an enclosed building, except as provided below. Tires may be displayed for sale outside an enclosed building only between 6:00 a.m. and 9:00 p.m. daily. All premises upon which tires are stored or displayed in violation of this Subsection shall be brought into compliance with this subsection within 6 months of the effective date of this ordinance.

## **Sec. 59-156 Parking Garage**

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- A. **PURPOSE.** *With regard to maximum development potential and urban design, parking garages are a more efficient use of land than surface parking and can contribute to a more walkable urban form. The intent of this section is to provide parking garage regulation that supports the interest of pedestrians around the structure and makes garage facades consistent with the building fabric of the block and surrounding blocks. Elements include thoughtful detailing of garage facades, and screening of direct line of sight to vehicles, garage lighting, and the inclusion of site amenities at the facility's edges near public sidewalks.*
- B. **Exemptions:** The following parking structures are exempt from this section:
1. Underground parking structures.
  2. Parking structures located internal to a block or screened from view from any adjacent street by a building.
  3. Existing parking structures.
- C. **Design.** Parking structures that are more than 20 feet in height and greater than 80 feet in width or length on any one side and front a public street on any side shall meet the following design regulations.
1. *Maximum building width consistent with the applicable zone.* Structures that exceed the zone maximum building width shall provide a pedestrian pass-through facility/access at the maximum width mark or at a rate to meet the number of pass throughs required for the total lineal feet constructed. For example, if the zone's maximum building width is 160 feet, the pedestrian passage can be placed to equal the amount that would be required per lineal feet.
  2. *Horizontal facades designed to differentiate the ground floor from upper floors* including one (1) or more of the following:
    - a. varying the arrangement, proportioning and/or design of garage floor openings.
    - b. incorporating changes in architectural materials, including texture, color, facade coverings over concrete panels; and/or projecting forward or recessing back portions or elements of the parking structure facade.
  3. *Vertical facades designed to incorporate intervals of architectural variation* at least every sixty (60) feet over the length of the applicable facade width of the zone including one (1) or more of the following:
    - a. varying the arrangement, proportioning and/or design of garage openings,
    - b. incorporating changes in architectural materials, including texture or color, and
    - c. projecting forward or recessing back portions or elements of the parking structure facade.
  4. *Screening of parked vehicles from view of a public street or adjacent or abutting residential uses.* Screening of vehicles shall be accomplished through methods such as art on the building, awnings, canopies, building fenestration, windows and/or other architectural methods that disguise the garage to look like a building or that otherwise screen the vehicles from the street.
  5. Floors along street frontages shall be designed to enable conversion to other uses with useable floor heights of at least 14' clear and flat plates.
  6. *Downtown zones:* The following additional standards shall apply in a DD-CB or a DD-DT zone:
    - a. Ramped and sloping interior floors should not be visible from the street.
    - b. Stairwells should be built and located on the exterior corners of parking garages and should be so constructed that at least one wall of the stairwell be visually open to the outdoors.



- c. Parking garage entries and exits, for both pedestrians and vehicles, should be clearly marked by materials, lighting, signage, etc. to ensure visibility and promote pedestrian safety.
- D. **EVSE Spaces.** Any parking structure subject to this section shall provide a minimum of three (3) electric vehicle EVSE- Installed charging stations on the ground floor if parking is provided on the ground floor, or on the second floor if the ground floor is used for commercial uses.
- E. **Garage Street Frontages.**
  - 1. *Main Street and Retail Priority Area Frontages.* Structured parking fronting on Main Streets or along corridors designated as Retail Priority Areas in the Comprehensive Plan shall incorporate non-automotive Commercial or Civic uses at the street level.
  - 2. *Downtown Retail and Streetcar and Park Frontage Priority Area Frontages.* Structured parking along corridors identified in the Downtown Development Framework as Priority Areas for retail, the streetcar or parks shall incorporate non-automotive Commercial or Civic uses at the street level.
  - 3. *Neighborhood, Minor Connector and Major Connector Street Frontages.* Structured parking fronting a Neighborhood, Minor Connector, or Major Connector Street Type shall provide either non-automotive Commercial or Civic uses on the ground floor and/or incorporate a minimum 10-foot landscape buffer between the garage building face and the sidewalk or curb.
  - 4. *Arterial and Highway Street Frontages.* Structured parking fronting an Arterial or Highway Street Type shall meet design regulations but are not required to have active uses on the ground floor. Detached parking structures shall be located to the rear of all primary buildings unless site design requires buffering from riparian areas.
  - 5. Frontages that incorporate non-automotive Commercial or Civic uses at the street level shall meet the regulations of 59-30 Building Configuration, including frontage types, and 59-32 Building Facade, including transparency, as applicable.
- F. **Lighting.** Light poles on top of parking garages shall be limited to a maximum height of 20 feet. Lighting on top of parking garages is prohibited between the hours of 11:00 pm and sunrise, except that lighting is allowed while the parking facility is in use. Security lighting is excluded from this prohibition.

## **Sec. 59-157 Participant Recreation, Outdoor**

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- A. **Applicability.** This section applies to any Participant Recreation, Outdoor use.
- B. **Location.** The site shall front or have direct access to a Major Connector, Minor or Major Arterial Street, Highway or Downtown Street Type except for a DT-Neighborhood Street.
- C. **Noise.** Land area shall be sufficient so that noise generated shall not exceed limits imposed by City noise ordinances. The minimum site size shall be 80,000 square feet in the following zones or abutting the following zones: RL-AG, RL-AR, RM-SD, UL-SD, UL-MD, UM-SD, UM-MD or UH-MD.
- D. **Specific Use Permit.** Amusement parks and go-cart tracks require a Specific Use Permit (SP) in any zone even if Outdoor Participant Recreation is listed in the Use Table (Sec. 59-22) as permitted by right or a certificate of approval.
- E. **Lighting.** Lights shall be located no closer than 50 feet to any property line that adjoins a residential district or use. All lighting shall meet the criteria of Sec. 59-40.
- F. **Site Design:** No building or outdoor participant recreation activity, with the exception of a golf course, shall be located closer than 50 feet to any lot line abutting any residential use or zone.
- G. **Conditions.** If the use requires a specific use permit, the City Council may include additional conditions it considers necessary including, but not limited to, additional setbacks, landscaping, and installation of lighting and utilities.



## Sec. 59-158 Pawn Shops

- A. **Applicability.** This section applies to any Pawn Shop.
- B. **Spacing.** Within the UM-MC and UM-MX zones, Pawn Shops are limited to one within a radius of 1,000 feet, measured from the proposed pawn shop to an existing building or space containing an existing pawn shop.

## Sec. 59-159 Personal Storage

- A. **Applicability.** This section applies to any Personal Storage use.
- B. **Access.** The site shall front, or have access to, a street meeting minimum design standards for a Major Connector, Minor Arterial, Major Arterial, or Industrial Street type as shown in the Comprehensive Plan.
- C. **Prohibited Activities.** The following activities are not permitted:
1. Wholesale or retail sales are permitted from the personal storage units.
  2. Outdoor storage.
  3. Maintenance, repair or mechanical work.
- D. **Lighting.** Lights shall not be located closer than 20 feet to any property line that adjoins a residential zone or use. All lighting shall be arranged so that there will be no annoying glare directed or reflected toward adjacent property and meet the requirements of Sec.59-40.
- E. **Caretaker Unit.** A single caretaker unit is permitted.
- F. This use is not permitted in any MX zone or UM-MC Pattern 2 development.

## Sec. 59-160 Public Protection Services

- A. **Applicability.** This section applies to any Public Protection Services use.
- B. **Access.** The site shall front or have direct access to a street meeting minimum design standards for a Connector Street, Main Street, Downtown Street, Minor Arterial, or Major Arterial.
- C. **Lighting.** See [Sec. 59-40](#) (Lighting).
- D. **Parking.** Off-street parking or loading spaces shall be located at least 20 feet from any lot line abutting a residential district.
- E. **Dimensional Standards**
1. **Setbacks.** A Public Protection Service use shall be located at least 20 feet from any lot line abutting any single-dwelling or multi-dwelling residential use.
  2. **Minimum lot area** is as follows:

**Table 59-160-1 Minimum Lot Area for Public Protection Services**

Adjacent Zone or Use*	Lot Area (min)
RL-AG, RL-AR, RM-SD	80,000 sf
UL-SD, UL-MD, UM-SD / UM-MD / Land Lease Community	40,000 sf

\* If the use is adjacent to zones in more than one category, the largest minimum lot area applies. *Example: a proposed police station abuts an RM-SD zone on one side (requiring an 80,000 square foot lot) and a UL-SD zone on the other (which would only require a 40,000 square foot lot). The use is subject to the largest minimum lot size, or 80,000 square feet.*

## Sec. 59-161 Refuse, Biomedical Waste and Hazardous Waste

- A. **Applicability.** This section applies to any Refuse, Biomedical Waste and Hazardous Waste use.
- B. **Dimensional Standards**
1. **Lot Area** (min): 5 acres.
  2. **Setback** (min.) for no activity, use, storage, or building: 100 feet from any lot line.
- C. **Spacing**



1. This use is not permitted within 1,500 feet of a RM-SD, RM-RC, UL-SD, UL-MR, UL-NC, UL-MX, UM-SD, UM-MD, UM-O, UM-MC, UM-MX, UH-MD, UH-MX, RD-RC, or RD-AC zone.
2. No site shall be located within 1,500 feet from a designated floodway or reservoir. Run-off from the site must be processed through a detention facility approved by the City Engineer.

#### **D. Fencing, Screening, and Landscaping**

1. A chain-link fence or wall at least 8 feet in height (measured from finished grade) shall be provided around the site. Signs at least 4 square feet in area shall be posted along the exterior of the fence at 200-foot intervals warning of the potential hazard. No material shall be stored outside of an enclosed building in a manner that exceeds the fence height.
2. If the use requires a specific use permit, the City Council may require additional sight-proof screening and landscaping to standards contained in Sec. 59-36 (Landscaping) if necessary to protect the general public and the use of neighboring property from potential loss of use or decrease in land value.

#### **E. Access**

1. Access shall be restricted by a locked gate at all times when the site is not in operation. Notice shall be posted that only authorized personnel are allowed on the site.
2. All access shall be by a hard-surface access road(s).
3. Street access must be from a street classified as an Industrial Street, Interstate, or State Highway.

**F. Parking.** Off-street parking or loading spaces shall be at least 100 feet from any lot line.

**G. Prohibited Locations.** No site shall be permitted on property designated as environmentally sensitive by the Comprehensive Plan.

### **Sec. 59-162 Religious Institution**

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**Purpose:** *This section clarifies uses that are considered accessory to religious land uses, and includes additional permissions designed to protect religious liberty pursuant to the First Amendment to the United States Constitution, Section I-2 of the Oklahoma Constitution, the Oklahoma Religious Freedom Act ("ORFA," 51 O.S. § 251 et seq.), and the federal Religious Land Use and Institutionalized Persons Act ("RLUIPA," 42 U.S.C. § 2000cc et seq.).*

**A. Applicability.** This section applies to any Religious Institution.

**B. Accessory Uses.** The following facilities uses are considered accessory to any Religious Institution if they are used in furtherance of an "exercise of religion" as defined by the ORFA or "religious exercise" as defined by RLUIPA:

1. A monastery, rectory, or similar housing unit.
2. Day care facilities for persons attending worship services.
3. Fellowship halls, parish halls, and similar buildings or rooms used for meetings, religious education, and similar functions.
4. Recreational facilities that are subordinate in scale to the principal building.
5. Office spaces for staff and volunteers of the Religious Institution.
6. Any other uses that the Director determines are used in furtherance of an exercise of religion or religious exercise, as defined above and determined in accordance with the reasonable accommodation procedure set out in subsection C below.

#### **C. Reasonable Accommodation**

1. **Applicability.** This subsection authorizes the Director to approve a reasonable accommodation for a Religious Institution. For purposes of this subsection, a "reasonable accommodation" means an accessory use or structure, facility, or activity of a Religious Institution that is not listed above or as defined in Article X of this Chapter, or a modification to a requirement of this Chapter.
2. **Determination.** The Director may determine that a reasonable accommodation is needed, if:





- a. the use, structure, facility, or activity is an exercise of religion or religious exercise, as defined above, or the modification is requested for a Religious Institution, and
  - b. approving the use, structure, facility, or activity, or the requested modification, is needed to avoid a substantial burden on the exercise of religion or a religious exercise as defined above.
3. *Decision.* If the Director finds that the criteria listed in subsection 1 above are met, the Director shall approve the use, structure, facility, activity, or modification unless disapproval is:
- a. essential to further a compelling governmental interest; and
  - b. the least restrictive means of furthering that compelling governmental interest.
4. *Special Exception.* If the Director disapproves the use, structure, facility, activity, or modification, the applicant may request the Board of Adjustment to approve the reasonable accommodation as a special exception pursuant to Sec. 59-93.

### **Sec. 59-163 Residential Facilities for Mental Health Treatment, Transitional**

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A. **Applicability.** This section applies to any Residential Facilities for Mental Health Treatment, Transitional.

B. **Applications for Approval**

1. An application for a Specific Use permit 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.
2. The Planning Director shall prepare a report that identifies other uses in the following uses within one mile of the proposed facility: other Transitional Residential Facilities for Mental Health Treatment, Emergency Shelter and Feeding Sites, Supportive Housing, Forced Detention or Correction Facilities, Residential Facilities for Dependent and Neglected Children, and Residential Facilities for Drug or Alcohol Treatment. The report shall provide the appropriate data and information to aid in any required decision pursuant to this Chapter.
3. The inordinate concentration of these uses is discouraged, and locations dispersed throughout the community are encouraged. The decision maker shall determine whether an inordinate concentration of these uses would result from the establishment of an additional Transitional Residential Facility for Mental Health Treatment 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 decision maker shall consider all facts and circumstances relating to the application and areas surrounding the proposed site, including the differences or similarities in existing uses among these use units and the compatibility or incompatibility of such uses in the particular area.

### **Sec. 59-164 Restaurants**

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A. **Applicability.** This section applies to any Restaurant.

B. **Accessory Uses.** If the Restaurant is an accessory use to an Office in an Office zone, 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 exterior entrance shall be permitted.

C. **PUD/SPUD.** For any PUD or SPUD with an Office zone approved prior to the adoption of this section, restaurants shall not collectively occupy more than 10% of the gross floor area of the entire project.

D. **Lighting.** 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. **Outdoor Seating/Patio.** 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.:





1. 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 are measured from the closest edge of the outdoor seating/activity area to the nearest property line of the residential use; and
2. Amplified music is not allowed outdoors between the hours of 11:00 p.m. and 8:00 a.m.; and
3. If the use abuts or is located across a street from a residential zone, a buffer (see Sec. 59-38) is required along the frontage line and adjacent to the residential lot line. If Sec. 59-38 does not specify the buffer category, a minimum Type B buffer is required. The frontage line buffer does not apply if the lot is subject to a maximum front setback.

#### **F. 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, are considered legally nonconforming. If such the use was approved as a special permit or special exception and fails to continue operating in accordance with that approval, then the use is considered illegal.
3. Legal nonconformities will cease if:
  - a. For a period of six months or more, any of the following occurs:
  - b. The City license for the sale of alcoholic beverages is not renewed when due.
  - c. The occupation tax relating to the sale of alcoholic beverages is not paid when due.
  - d. The sale and consumption of alcoholic beverages on the premises ceases.
  - e. The use of the premises is changed to a use other than one relating to or authorizing the on-site consumption of alcoholic beverages.
  - f. The original special permit or special exception is revoked.
  - g. The State revokes or does not renew the operator's license.

### **Sec. 59-165 Sales and Rentals, Farm and Heavy Vehicles and Equipment**

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- A. Applicability.** This section applies to any Sales and Rentals, Farm and Heavy Vehicles and Equipment use.
- B. Outdoor Sales and Display.** Outdoor sales and display is allowed if the following conditions for approval are satisfied:
1. No manufacturing, assembly, repair, work activity, or storage other than permitted outside sales and display shall take place outside the confines of an enclosed building.
  2. Outdoor sales and display shall be only materials or products actively offered for sale and may remain outside at all times.
  3. No outside sales or display is permitted within 20 feet of any lot line abutting an RL-AR, RM-SD, UL-SD, UM-SD, UM-MD, or HP zone.
  4. No permitted outdoor storage shall be stacked or extend above required sight proof screening.
  5. No public sidewalk or street right-of-way shall be used for outdoor sales or display, except for an approved temporary special merchant promotion authorized by City regulations.
  6. **Landscape Buffer.** If outdoor sales and display is located within 50 feet of a residential zone or across the street from a residential zone, a Type B Buffer shall be provided on the abutting property line or along the frontage, as applicable.

### **Sec. 59-166 Sales and Rentals, Manufactured (Mobile) Homes**

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- A. Applicability.** This section applies to any Manufactured (Mobile) Home Sales and Rental use.
- B. Where Permitted.** A site for this use must have a minimum of 100 feet of frontage on a Minor or Major Arterial or a Highway Street Type. The use shall not be permitted in a planned unit development where the outside storage of vehicles has been prohibited.



- C. **Large sites:** Sites more than 3 acres in size shall require a Specific Use Permit.
- D. **Landscape Buffer.** A Type A landscape Buffer as described in Sec. 59-38 shall be provided along all street frontages and along an abutting property line.
- E. **Accessory Equipment.** Accessory equipment, including trailer hitches, must be located at the rear of the property, out of sight of the abutting street, and shall be positioned between buildings, where practical.

## **Sec. 59-167 Sanitary Landfills**

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- A. **Applicability.** This section applies to any Sanitary Landfill. *[See also Chapter 49, Article IV (Landfills) for standards such as closure.]*
- B. **Accessory Uses.** Accessory uses to sanitary landfills include outdoor equipment, or office or administrative buildings, gas extraction systems that convert methane or landfill gases to energy, emergency response systems, monitoring wells, or any other equipment designed to protect, monitor, or otherwise ensure the integrity of the landfill monitoring or improvement systems.
- C. **Dimensional Standards.** Minimum required lot area is 10 acres.
- D. **Siting**
  - 1. No activity area shall be permitted within 1,500 feet of permanently or temporarily occupied dwellings.
  - 2. No sanitary landfill shall be located within 150 feet of any highway, drainage canal, lake, stream, navigable waterway, regulatory floodway or property line.
- E. **Fencing/Walls.** A chain-link fence or wall not less than eight feet in height, as measured from finished grade, shall be provided around the use.
- F. **Access**
  - 1. Access shall be through a locked gate.
  - 2. The entrance of the facility shall have an all-weather access road.
  - 3. Access shall be through a gate that can be locked at all times and that carries official notice that only authorized persons are allowed on the site.
  - 4. No residentially developed street shall be used for access.
- G. **Restoration Plan.** A restoration plan shall be submitted with the application and shall include the following:
  - 1. Final proposed topography of the site after all proposed restoration is completed.
  - 2. Proposed depth of topsoil and a vegetation and landscaping plan.
  - 3. A drainage plan showing the direction of all drainage after restoration.
- H. ADD REDEVELOPMENT AUTHORITY REQUIREMENTS FROM 13450.6 E
- I.

## **Sec. 59-168 Satellite Dish Antennas**

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*Purpose. The appearance of satellite dish antennas can create a blight on residential areas, reducing the value and desirability of surrounding property, inhibiting development by creating a negative visual image of the neighborhood, and generally damaging the aesthetic quality of life for the citizens of the City. These regulations mitigate the negative aesthetic impact of satellite dishes and other satellite-receiving antennas on residential areas, while not preventing reception of satellite-delivered signals by receive-only antennas and not imposing costs on users of those antennas that are excessive in light of the purchase and installation cost of the equipment.*

- A. **Applicability**
  - 1. Satellite dish antennas and dishes are permitted in the districts listed in [Sec. 59-22](#) (Use Tables) on lots of less than 5 acres, subject to this section. In this section, the term "antenna" or "antennas" includes all electronic, assembly, mounting, and supporting apparatus, except where reference is made to antenna diameter. "Satellite Dish



Antennas" are not included in the category of telecommunications facilities, which are regulated by [Sec. 59-115](#) (Communications).

2. Satellite dish antennas are subject to the regulation of structures in Chapter 12 of the Municipal Code, Buildings and Building Regulations.

**B. Location.**

1. Satellite dish antennas, whether roof-mounted or ground-mounted, shall be located completely behind the front building wall of the Principal Building, and completely behind any side building wall that faces toward a street.
2. Satellite dish antennas may be mounted from the ground or placed on the roof.

**C. Height**

1. The height of the antenna shall in no case exceed the height standard of the zone.
2. Satellite dish antennas that are ground-mounted shall not exceed 15 feet in height measured from the average finished grade. However, antennas whose support pole is attached directly to, and extends no farther than one foot from, a rear building wall or eaves of the main structure on the lot may extend to a height not exceeding the height standard of the district. No portion of the pole or mounting structure shall be visible from any portion of a street in front of the lot.
3. Satellite dish antennas that are mounted on the roof of any structure, except a multiple-family structure having five or more dwelling units, shall not be visible from any portion of a street in front of the lot.

**D. Size.** Satellite dish antennas shall not exceed 12 feet in diameter.

- E. Setback.** Except where the support pole is attached to a rear building wall in the manner described above, a ground-mounted antenna shall not be placed closer to any lot line than its height or the required setback in the district, whichever is greater.

## **Sec. 59-169 Schools**

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**A. Applicability.** This section applies to Major School and Minor School uses.

**B. Access.** A Major or Minor School site shall front, or have direct access to, a street meeting design standards for a Minor Arterial, Major Arterial, Industrial Street, Interstate, or State Highway. A Minor School site may front a Minor Connector or Neighborhood Street with approval of a Specific Use Permit. A Major School site may front a Major Connector or a Main Street with approval of a Specific Use Permit.

**C. Parking.** No off-street parking or loading space shall be located closer than 20 feet to any lot line abutting a residential district.

**D. Lighting.** Lighted outdoor facilities shall not be located closer than 50 feet to any property line that adjoins a residential use. See [Sec. 59-40](#) (Lighting).

**E. Applications for Specific Use Permit:** An application shall address: the size of the proposed site, the uses anticipated, a description of the operation, and the means to mitigate impacts to surrounding land use. Minor Schools shall show on-site routes and design for student loading.

**F. Existing Schools.** Properties developed and occupied as schools prior to the effective date of this chapter, may continue their use for school purposes and expand existing facilities without securing a specific use permit if the following conditions are met:

1. The property is zoned for residential, office or commercial use and was so designated prior to the effective date of this chapter.
2. All expansions or additions to existing facilities conform to the development regulations of the applicable zoning district or use regulation.
3. The use of the proposed expansion is permitted in the applicable zoning district and use regulations for that use apply. If the use is not permitted or requires a specific permit in that zone, a specific use permit shall be required.



## **Sec. 59-170 Scrap and Re-Useable Materials Collection and Sales**

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- A. **Applicability.** This section applies to Scrap and re-Useable Materials Collection and Sales.
- B. **Lot Area.** Minimum lot area is 2 acres.
- C. **Fencing/Walls.** A manufacture-painted or coated chain-link fence, other sight-proof screening or a wall at least 8 feet in height (measured from finished grade) shall be provided around the use. No scrap or waste material shall be stored in such a manner that it exceeds the height of the fence.
- D. **Screening.** Sight-proof screening shall be erected along all Major or Minor Arterial Streets, interstates, and state highways.

## **Sec. 59-171 Solar Farm**

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- A. **Applicability.** This section applies to any Solar Farm.
- B. **Solar Farm Construction** shall:
  - 1. comply with all applicable local, state, and federal regulatory codes, including building, electric, fire, plumbing, and energy codes adopted by the City; State of Oklahoma Uniform Building Code, as amended; and the National Electric Code, as amended.
  - 2. be constructed only upon the issuance of building and electrical permits.
  - 3. comply with the interconnection requirements of the electric utility. Off-grid systems are exempt from this requirement.
  - 4. As part of a building permit, include a decommissioning plan for review that describes the following considerations for end of project life, contract term, or property lease:
    - a. Steps to restore site to natural conditions.
    - b. Detailed plans for removal, salvage, recycling, and disposal of equipment. Removal shall consist of the following:
      - 1. Physical removal of all solar energy systems, structures, equipment, storage and battery components, security barriers, and transmission lines from the site.
      - 2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations; and
      - 3. Stabilization or revegetation of the site as necessary to minimize erosion.
  - 5. The decommissioning plan shall be re-submitted upon change of ownership to ensure continuity of the approval terms.
  - 6. **Development Standards of a zone** shall:
    - a. be observed for setback and height.
      - 1. On-site electrical poles or other equipment required for interconnection or system safety shall be exempt from height maximums.
      - 2. not be required to be observed for building and impervious coverage requirements of the zone so long as the ground beneath the system is pervious (e.g. vegetated) and not compacted.
- C. **Landscaping and Screening requirements** shall be the following, and not subject to other landscaping standards of the Zone:
  - 1. Sensitive Edge landscape buffers detailed in Sec. 59-38 shall apply as applicable to the zone.
  - 2. All security fencing required by Electric Code shall be installed on the interior of any planted or preserved vegetative buffer.
  - 3. Solar Farms of any size shall preserve existing vegetation and Existing Significant Trees that already act as a buffer between Solar Farms and neighboring residential land uses.
  - 4. The project area of Solar Farms of any size shall be seeded and maintained with a mix of pollinator-friendly Native Perennial Vegetation prairie species appropriate for the region and soil conditions as groundcover for any area not



used for roads, parking, or other system components, including under and around the solar collector panels. The project area shall be seeded promptly following completion of construction in such a manner as to reduce invasive weed growth and sediment in the project area.

### **Sec. 59-172 Spectator Sports / Performance Venue**

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**A. Applicability.** This section applies to any Spectator Sports / Performance Venue.

**B. Spectator Sports / Performance Venue, General.** A Spectator Sports / Performance Venue in the UL-MX, UM-MX or UM-MC zone shall be screened from residential uses or residential zone boundaries by permanent buildings or a minimum Type D landscaped buffer.

**C. Spectator Sports and Entertainment, High Impact**

1. The site shall be of sufficient size to accommodate the required activities and provide for minimum impact on adjacent properties.
2. The design shall include noise buffering techniques, such as earthen berms, vegetation or other acceptable methods.
3. Outdoor high intensity lighting shall be no closer than 100 feet from the property line and shall meet the lighting criteria of Sec. 59-40.
4. The use shall be located on a Major Arterial Street or Highway Street type, or any Downtown Street Type except for DT-Neighborhood.
5. The use shall have a minimum of two vehicular access points.

### **Sec. 59-173 Stockyards**

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**A. Applicability.** This section applies to any Stockyard.

**B. Lot Area.** Minimum lot area is 5 acres.

**C. Water/Waste Disposal Plan.** The applicant shall submit a plan of existing or proposed water and waste disposal facilities to show that the proposed use will meet all local, State, and Federal requirements.

**D. Spacing.** No Stockyard is allowed within one-half (½) mile of any residential zone.

### **Sec. 59-174 Supportive Housing**

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**A. Applicability.** This section applies to Supportive Housing.

**B. Applications for Approval**

1. An application for a Specific Use permit 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.
2. The Planning Director shall prepare a report that identifies other uses in the following use units within one mile of the proposed facility: other Supportive Housing, Emergency Shelters and Feeding Sites, Forced Detention or Correction Facilities, Residential Facilities for Dependent and Neglected Children, Residential Facilities for Drug or Alcohol Treatment, and Transitional Residential Facilities for Mental Health. The report shall provide the appropriate data and information to aid in any required decision pursuant to this Chapter.
3. The inordinate concentration of these use units is discouraged, and locations dispersed throughout the community are promoted. The decision maker shall determine whether an inordinate concentration of these uses would result from establishing an additional Supportive Housing use in the particular area. In determining whether an inordinate concentration would result in a negative impact on the surrounding community from approval of a particular application, the decision maker shall consider all facts and circumstances relating to the application and areas surrounding the proposed site, including the differences or similarities in existing uses among these uses and the compatibility or incompatibility of those uses in the particular area.



## Sec. 59-175 Surface Passenger

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- A. **Applicability.** This section applies to Surface Passenger uses.
- B. **Operations Indoor.** In any zone other than EM-IP and IH-II, all maintenance, repair, mechanical work, and storage shall be performed in enclosed buildings.
- C. **Lighting.** All lighting shall be arranged so that there will be no annoying glare directed or reflected toward the adjacent property.
- D. **Screening.** A Surface Passenger use located within 100 feet of any residential zone shall be screened on all boundaries with buildings or a Type B Landscape Buffer as described in Sec. 59-38 (Landscaping, Buffers Next to Sensitive Edges)
- E. **Parking.** Off-street parking or loading spaces shall be located at least 20 feet from any lot line abutting a residential district.

## Sec. 59-176 Temporary Home: Medical Hardship

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- A. **Applicability.** This section applies to a Manufactured Home: Medical Hardship (MHMH).
- B. **Special Exception.**
  - 1. A special exception may be granted for a period of one, two, or three years depending on the situation.
  - 2. When the special exception expires, the applicant shall file a new application for a special exception and have the case reviewed. At that time, the Board of Adjustment shall determine if the need that led to the granting of the original special exception is still present, and if there has been any material change of conditions relevant to the granting of the special exception.
- C. **Conditions for Approval**
  - 1. The principal for whom the special exception is requested shall be a relative by blood or marriage, and the extenuating conditions shall not be caused by the applicant.
  - 2. The special exception shall not be granted unless medical hardship exists caused by physical condition, such as age or infirmity, or by mental condition of the principal.
  - 3. The Board of Adjustment may include additional conditions as it considers necessary including, but not limited to, extraordinary setbacks, landscaping and installation of utilities.
- D. **Number Allowed.** Only one MHMH is allowed accessory to a permanent detached dwelling.
- E. **Location.**
  - 1. The location of the MHMH shall conform to all lot area, setback, height and off-street parking requirements of the zone in which it is located.
  - 2. The MHMH shall be located only behind the front wall of the principal dwelling.
  - 3. **DEQ Requirements.** The proposed MHMH installation shall meet all City and State Department of Environmental Quality standards and regulations.
- F. **Termination.** The use of the MHMH shall terminate at any time when the hardship that led to the granting of the original special exception ceases.

## Sec. 59-177 Temporary Structures and Uses

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- A. **Applicability.** This section applies to Temporary Structures and Uses. Temporary uses not specifically listed here are allowed in any zone if they are consistent with the purpose and intent of this chapter and of the zone in which they are located.
- B. **Generally**
  - 1. Every temporary use shall comply with other conditions that are reasonably necessary to achieve the purposes of this chapter or to protect public health, safety, comfort, convenience, order, and general welfare.





2. No temporary use shall have a significant negative impact on any adjacent property or on the area as a whole in which it is located. Every temporary use shall comply with all the requirements listed below.
3. No temporary use shall be permitted that causes, or threatens to cause, an on-site or off-site threat to the public health, safety, comfort, convenience, order, and general welfare.
4. No temporary use shall be operated except in accordance with such restrictions and conditions as the Fire Department may require.
5. No temporary use shall be permitted if the additional vehicular traffic reasonably expected to be generated by that temporary use would have undue detrimental effects on surrounding streets and uses.
6. No temporary use shall be authorized that would unreasonably reduce the amount of parking spaces available for use in connection with permanent uses located on the lot in question.
7. No temporary use shall be permitted that would conflict with another previously authorized temporary use.

**C. Manufactured Home, Temporary Use.** The following exceptions to the zone regulations apply to temporary manufactured homes where manufactured homes are allowed in the applicable zone:

1. On railroad rights-of-way, a reasonable number of manufactured homes are allowed to supply temporary housing for personnel engaged in emergency repair work for up to 45 days.
2. The Director may permit a manufactured home to be used as a temporary dwelling for a household unit for up to 9 months if:
  - a. The site is located in an RL zone or a residential zone.
  - b. A detached dwelling on the lot is destroyed or damaged by fire or other disaster that renders it uninhabitable. The manufactured home will be used as an on-site temporary residence only if, and while, that dwelling is rebuilt or repaired.
  - c. Appropriate sanitary facilities are provided and approved by the City.
  - d. Occupancy of the manufactured home terminates immediately upon completion of the dwelling on the same lot. The property owner shall remove the manufactured home within 180 days after a certificate of occupancy is issued for the detached dwelling, unless the Director approves the manufactured home as an Accessory Dwelling (subject to Sec. 59-101).
3. On a construction yard accessory to a construction project, the Director may permit a reasonable number of manufactured homes to be used as temporary offices during the construction period, if the manufactured home is:
  - a. located on the same parcel where the construction project is located or on the recorded subdivision which it serves, and
  - b. located no closer than 25 feet to any right-of-way line of any public street existing prior to the recording of the subdivision served by that yard or existing prior to the commencement of the construction project, and
  - c. located no closer than 50 feet to any pre-existing dwelling not owned or leased by the owner of the subdivision.

**D. Temporary Construction Sites**

1. Temporary Buildings, On-Site. Temporary buildings, including manufactured dwellings, for uses incidental to construction work are permitted in all zones if they are removed upon completion or abandonment of the construction work.
2. Permits. A nonresidential manufactured dwelling shall require a building permit. See Chapter 31.
3. Temporary Construction Staging Areas, Off-Site. In the UH and DD, and within the Scenic River Overlay, off-site staging areas are allowed on a temporary basis to facilitate construction projects if:
  - a. They accommodate only temporary storage of equipment and materials during the construction period, and
  - b. Screening of materials and equipment is provided along street frontages, which may include manufacturer coated chain-link fencing with mesh screening.





4. The temporary construction site may include gravel surface where the existing surface is not paved to City's standards, if appropriate materials to prevent gravel from infiltrating the soil and erosion controls in accordance with Chapter 16 and Chapter 48 are installed.
5. The site shall be returned to original or better condition, including removal of fencing materials and gravel, within 2 weeks of completion of construction or abandonment of the construction work.

#### **E. Recreational Vehicles**

1. Temporary use of freestanding recreational vehicles is permitted in association with public amusements, circuses, carnivals, exhibitions, public sales, sporting events, or other events if the event is licensed or authorized by the City and lawfully conducted within or upon public or private facilities or property.
2. This permission shall be granted on the condition that the required permit or license for the event has been paid for and obtained. If no permit or license is required, the event shall obtain any authorization required from the City. That permission shall cease to be in effect upon the revocation or expiration of the license or authorization granted by the City, or upon the final closing of the event, not considering day-to-day closings.

#### **F. Dumpsters, Enclosed Storage Containers, and Shipping Containers.** Commercial dumpsters, enclosed storage containers (such as MODs and PODs), and shipping containers may be temporarily located in residential zones in the front and side yard if:

1. The unit is not located on the property for longer than 180 days.
2. The unit is located on a hard-surfaced area.
3. The unit may encroach into required building setbacks, but shall not encroach into the right-of-way, sidewalk, or sight triangle.
4. Units located behind the rear wall of the primary structure are subject to the standards for Sec. 59-105 (Accessory Structures & Equipment).

### **Sec. 59-178 Underground Injection Wells**

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**A. Applicability.** This section applies to Underground Injection Wells. *[See Chapter 37 of the Oklahoma City Municipal Code (Oil and Gas).]*

#### **B. State Approval**

1. The injection well shall have the approval and authorization of the Oklahoma Corporation Commission.
2. With respect to the injection well, copies of all filings made pursuant to the application and reporting under Oklahoma Corporation Commission rules shall be supplied to the Director.

**C. Fencing and Setbacks.** If the use requires a site plan, special exception, or specific use permit, the decision maker may impose additional requirements for fencing and setbacks as are reasonably necessary to protect the health, safety and welfare.

### **Sec. 59-179 Urban Agriculture**

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**Purpose:** *The purpose of allowing urban agriculture is to increase affordable, healthful, food for all, especially for those who may have limited options because of location, access, or income.*

**A. Applicability.** This section applies to Urban Agriculture, which falls into 3 categories: Home Gardens, Community Gardens, and Urban Farms.

**B. Accessory Uses to Urban Agriculture.** Accessory uses for Urban Agriculture include:

1. **Activities and Appurtenances.** Activities and appurtenances may include greenhouses, hoop houses, cold frames, sheds, or other small structures for the keeping of tools and equipment, composting, hydroponics/aquaponics, and rainwater harvesting. Above-ground appurtenances are subject to the setback, lot coverage, and height requirements of the underlying zone.



a. **Location.** Appurtenances, such as hoop houses, greenhouses, sheds, rain barrels, or other storage structures shall not be stored or constructed in the front yard in a residential zone where a primary structure is present. Raised garden beds or other structures used for growing or protecting plants within raised beds, such as cold frames may be used in the front yard.

b. **Size.** Activities related to Animal Raising are also subject to the use regulations of 59-113 Animal Raising.

2. **Farm Stands.** Agricultural Products and homemade foods grown or produced on the same lot may be sold or distributed from a Farm Stand as consistent with applicable state laws.

a. Farm stands are subject to the regulations for each type of Urban Agriculture as specified in this section and applicable state laws.

b. No products containing meat, poultry, seafood, unpasteurized milk, or alcoholic beverages can be sold unless from a licensed farm storefront and products are inspected as per state law.

c. Marijuana cannot be sold from a Farm Stand or Urban Farm storefront.

3. **Farmer's Market.** A Farmer's Market is allowed as an accessory use to Urban Farms but requires a specific use permit.

a. **Registration.** A Farmer's Market shall be registered with Oklahoma Department of Agriculture, Food, and Forestry. All sales at a Farmer's Market shall be consistent with state laws.

b. **Goods.** Agricultural products shall comprise a minimum of 51 percent of annual market revenue or 51 percent of market vendors.

c. **Acceptance of Federal Food Assistance.** Farmers' Markets must accept Supplemental Nutrition Assistance Program (SNAP) benefits, or other government nutrition assistance benefits.

#### C. Generally.

1. **Hydroponic/Aquaponic Activities.** Hydroponic/aquaponic activities within an Urban Farm must be managed to prevent the infestation of insects and other pests.

2. **Weeds.** An Urban Agriculture use shall be free of rank weeds as defined in Chapter 35 (Nuisances), which does not include tended crops, healthy trees, shrubs, or produce for human consumption grown in a tended and cultivated garden or within an area preserved or established for natural habitat preservation.

3. **Private Actions or Restrictions.**

a. This section does not preclude any person from filing a private nuisance action against an offensive agricultural use.

b. This section does not supersede any private homeowner covenants or restrictions.

#### D. Home Garden/Roof Garden in a Single Dwelling Zone

1. **Use Category.** A home or roof garden is an accessory use to a principal residential use, including multi-family, and must comply with the development standards for its zone.

2. **Location.** A home garden may be grown in the front, rear, or side yards.

a. A home garden may be grown on a portion of a roof, including a parking garage.

b. A building permit is required to construct/plant a garden on any roof.

3. **Garden and Homemade Food Sales.** Only fresh, whole, uncut fruits and vegetables grown on-site, or homemade foods sold as consistent with applicable state laws may be donated or sold on site. No products containing meat, poultry, seafood, unpasteurized milk, cannabis, or alcoholic beverages may be sold. Home Garden Farm Stands in single dwelling residential zones shall be subject to the following:

a. Signs for home garden farm stands shall be per [22-3 of the Municipal Code](#) and must be removed at the end of the day of the sale.

b. Home garden sales shall be operated between the hours of 8 a.m. and 6 p.m.

c. All parking of vehicles and/or trailers shall be conducted in strict compliance with all applicable laws and ordinances.



- d. A Farm Stand shall not include a Food Truck as defined in Section 59-255 nor be larger than 200 square feet in size.

#### **E. Community Garden**

1. **Use Category.** A Community Garden may be a principal or accessory use on a site and is a maximum of one acre in size.
2. **Location.**
  - a. A Community Garden may be located on property with permission of the property owner, and on property with or without a Dwelling. Community Garden group members may or may not reside on the subject property.
  - b. A lot owned by the City, County, or other public entity may be used by a person or a group of individuals to create a Community Garden with permission of the property owner.
  - c. A Community Garden may be divided into separate plots for cultivation by one or more individuals or may be cultivated collectively by members of the group.
  - d. A Community Garden may be constructed on a roof with a building permit.
3. **Community Garden Food Sales.** Only fresh, whole, uncut fruits and vegetables grown on-site, or homemade foods sold as consistent with applicable state laws may be donated or sold on site. No products containing meat, poultry, seafood, unpasteurized milk, cannabis, or alcoholic beverages may be sold.
  - a. Signs for Community Garden food sales shall be per 22-3 in the Municipal Code and must be removed at the end of the day of the sale.
  - b. Farm stands shall be operated only between the hours of 8 a.m. and 6 p.m.
  - c. All parking of vehicles and/or trailers shall be conducted in compliance with all applicable laws and ordinances.
  - d. A Farm Stand shall not include a Food Truck as defined in Section 59-255, unless the Food Truck use is allowed in the Zone.
  - e. A Farm Stand of up to 600 square feet Ground Floor Area is allowed.
4. **Animal Raising.** Activities related to Animal Raising are also subject to the use regulations of 59-113 Animal Raising.
5. **Educational Activities.** Educational activities are permitted between the hours of 8 a.m. and 6 p.m.
6. **Chemicals/Fuels.** All chemicals and fuels shall be stored in an enclosed, locked structure when the site is unattended and in accordance with state and federal storage and handling regulations.
7. **Identification.** A sign clearly identifying the responsible party including relevant contact information shall be displayed at the community garden and is allowed as an incidental sign (see Article IV). The responsible party shall produce property owner permission upon request.

#### **F. Urban Farm**

1. **Use Category.** An Urban Farm may be a principal use, if one acre or larger in size, or may be an accessory use to an Agricultural, Civic, or Commercial use if allowed in the Zone.
2. **Activities and Appurtenances**
  - a. An Urban Farm may include office space for employees. Visitors may pick up Agricultural Products, as consistent with state laws, grown on the Urban Farm property at the site and may work at the site. Interns and apprentices may work on the Urban Farm property.
  - b. Garden and farm-related buildings and structures must comply with the accessory structure requirements that apply to the Zone.
  - c. Urban Farms may have a permanent storefront no greater in size than 5 percent of the farm acreage up to 5,000 square feet.
3. **Setbacks.**
  - a. Farmed areas must be set back at least 3 feet from all property lines.



- b. The required setback must be covered with a pervious material which may include ground cover plants, grasses, mulch, gravel, or other unpaved materials.

#### **4. Operations and Maintenance**

- a. The site must be designed and maintained so that chemicals will not drain onto adjacent property.
- b. Tractors, lawnmowers, and other farm-related machinery in UL, UM or UH residential districts must be screened from public view if located adjacent to a sensitive edge. Enclosed structures for equipment must follow Accessory Structure and Equipment regulations in Section 59-XXX. Screening of such equipment is not required in a Rural Low or Rural Medium zone.
- c. All chemicals and fuels shall be stored in an enclosed, locked structure when the site is unattended and in accordance with state and federal storage and handling regulations.
- d. Synthetic pesticides or herbicides may be applied only in accordance with state and federal regulations.

### **Sec. 59-180 Utilities, Heavy**

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**A. Applicability.** This section applies to any Heavy Utility use.

#### **B. Generally**

1. The site shall be at least 5 acres in size.
2. All maintenance, repair, and mechanical work shall be performed in enclosed buildings unless the zone regulations permit otherwise.
3. Off-street parking or loading spaces shall be located a minimum of 50 feet from any lot line abutting a residential district.
4. The use is not permitted within 500 feet of occupied dwellings.
5. Front yard fencing is allowed.

#### **C. Electric Substations and Battery Energy Storage Systems (BESS), Tier 2.**

1. The minimum site area (subsection B.1) requirement does not apply to electric substations or BESS, unless required by a condition to a Specific Use Permit.
2. *Setbacks:* An electric substation structure with a nominal capacity of more than 115 KV or a Tier 2 BESS facility must be located a minimum of 150 feet from any residential zone or use. This minimum distance does not apply to single-voltage electric switching stations. All other setbacks of a zone apply.
3. *Landscaping:* Streetscape buffers and required site landscaping are not required for this use, although landscaping is encouraged if it does not present safety or security issues.
4. *Screening:* Screening is required to obstruct internal substation or switch station components or BESS facility from the public right of way at ground view or between a station or BESS facility and any residential zone or use. Screening of structures, equipment or buildings is not required above 10 feet of height. Screening shall at a minimum consist of the following:
  - a. A 10-foot masonry wall or Planning Director approval of a substitute material such as a mural, art installation or other fencing configuration that meets the screening intent of this section.
  - b. Existing screening is deemed to conform unless an expansion to a facility of more than 20 percent of the existing equipment area is requested for permitting.
5. *Height:* Components located within electric sub-stations may be erected to a height not exceeding 35 feet above the applicable permitted maximum height but not to exceed 70 feet in height. BESS facilities shall comply with building height requirements of the base zone.
6. *Co-location:* Electric Substations and BESS, Tier 2 may be co-located as principal uses on the same site if the standards of this section and any condition of a Special Use Permit are met.



## Sec. 59-181 Vehicle Storage

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- A. **Applicability.** This section applies to any Vehicle Storage use.
- B. **Vehicle Storage and Parking.** All vehicles stored or parked outside the confines of an enclosed structure shall be parked on a surface meeting one of the following standards:
1. On compacted subgrade, a minimum six-inch layer of traffic-bound surface coarse (TBSC) Type D or Type E compacted to 95 percent standard proctor density.
  2. Eight inches of cement kiln dust overlaid with five inches of dust-free asphalt millings.
  3. Three to four inches of crusher run over one and one-half to two inches of gravel.
  4. Equivalent standard approved by the City Engineer.
- C. **Fencing.** Sight-proof fencing shall be provided on all sides abutting a public street, excluding gates. All gates that are not sight-proof must be equipped with screening slats to reduce visibility into the site from the adjoining street.
- D. **Landscaping**
1. A Type A buffer ([Sec. 59-38](#) [Landscaping]) is required between any public street right-of-way and the required sight-proof fencing. This requirement does not apply to nonconforming uses in existence as of the effective date of this chapter.
  2. No outside Vehicle Storage area is allowed within 300 feet of a residential zone or property used for residential purposes.
- E. **Nonconformities**
1. Any use in existence as of the effective date of this chapter that violates subsections B and C above is deemed nonconforming. That nonconforming use shall not, in any manner, be enlarged, extended, altered, or rebuilt except to comply with this section.
  2. All uses deemed nonconforming uses under the terms of this section shall, within 3 years of the effective date of this Ordinance, terminate or come into compliance with the terms of this section. This subsection does not apply to subsection D (Landscaping), above, and that subsection does not apply to any future enlargement, extension, or reconstruction of the nonconforming use.

## Sec. 59-182 Warehouse, Commercial

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- A. **Applicability.** This section applies to any Commercial Warehouse.
- B. **Stockyards.**
1. Commercial warehouse buildings shall not be located on lots fronting:
    - a. S. Agnew Avenue, between SW 11th Street and the floodway of the North Canadian River; and between SW 13th Street and SW 15th Street.
    - b. SW 15th Street, between S. Youngs Boulevard west to the corporate limits of The City of Oklahoma City.
    - c. Exchange Avenue between S. Pennsylvania and S. Youngs Boulevard.
  2. Exterior cladding in the following area shall be brick: the four blocks surrounding the intersection of Agnew and Exchange Avenues, more particularly described as follows: Beginning at the centerline of SW. 11th Street and S. Youngs Boulevard thence west to the corporate limits of The City of Oklahoma City, said point being the eastern boundary of the Oklahoma National Stockyards; thence south to the centerline of SW. 13th Street; thence east to the centerline of SW. 13th Street and Youngs Boulevard; thence north to the point of beginning.
- C. **Lincoln Boulevard.**
1. Commercial warehouse buildings shall not be located within the Lincoln Boulevard Overlay boundary.



## **Sec. 59-183 Wind Energy Conversion Systems, Private**

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### **A. Applicability.**

1. This section applies to any Private Wind Energy Conversion System (PWECS).
2. PWECS towers may be installed only upon the issuance of a building permit.

**B. Wind Load.** All structural elements shall meet or exceed a designed wind load for a wind velocity of 120 miles per hour.

### **C. Dimensional Standards**

#### **1. Setbacks and Location**

- a. The PWECS tower shall be situated on the lot so that the distance from all property lines is at least the height of the tower.
- b. All PWECS towers shall be located to the rear of the principal structure.

#### **2. Height**

- a. The height of a PWECS tower is measured from grade to the center of the hub.
- b. Towers located in the RL-AG or RL-RC zones are not limited in height.
- c. The height of towers located in all other districts is governed by the applicable zone.

**D. Safety.** Access to the system by climbing shall be limited by one or more of the following:

1. a fenced yard with a locking portal.
2. a fence 6 feet tall with a locking portal a distance of 3 feet from the base of the PWECS tower.
3. limiting climbing apparatus to no more than 12 feet from the ground.
4. an anti-climbing device 12 feet from the ground.

### **E. Noise**

1. Noise levels, measured at the property line, shall not exceed those allowable under Chapter 34 of the Oklahoma City Municipal Code.
2. Upon citation for excessive noise, the owner of the PWECS tower will comply with subsection 1 above or remove the tower within 30 days.

**F. Hazard Warning.** At least one sign shall be posted at the base of the PWECS tower warning of the hazard of electrical shock and describing or illustrating shutdown procedures.

### **G. Historic Preservation Overlay (HPO)**

1. PWECS towers are not permitted on any property located in the HPO zones without the grant of a Certificate of Appropriateness by the Historic Preservation Commission.
2. Grant of a certificate by the Historic Preservation Commission may be conditioned by any design, height, landscaping, or maintenance requirement the Commission deems necessary to protect the historic nature of the property or area and may be denied by the Commission solely on the basis that the presence of the structure would detract from the historic qualities of the property or area.

**H. Residential Zones.** In single-dwelling urban residential zones, PWECS towers are not allowed on the roof of any structure.

**I. Signal Interference.** Any PWECS tower found to cause interference with Communications or Utilities uses must be modified to alleviate the problem or removed within 30 days. Granting of a building permit for this use in an Airport Zoning Overlay District shall require review and approval from the Department of Airports.

## **Sec. 59-184 Wind Energy Conversion System, Commercial**

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### **A. Applicability.**

1. This section applies to any Commercial Wind Energy Conversion System (CWECS).





2. CWECS facilities are subject to all local, state, and federal regulations including building, electric, fire, plumbing, and energy codes adopted by the City; State of Oklahoma Uniform Building Code, as amended; and the National Electric Code, as amended, as well as regulatory codes of the Federal Aviation Administration; the Oklahoma Wind Energy Development Act (Sec. 160); and the Oklahoma Department of Aerospace and Aeronautics Wind Energy Regulations. In the case of a conflict, the more restrictive regulation shall prevail.
  3. CWECS facilities may be installed only upon the issuance of a building permit.
- B. **Wind Load.** All structural elements shall meet or exceed a designed wind load for a wind velocity of 120 miles per hour.
- C. **Dimensional Standards**
1. *Setbacks and Location*
    - a. Wind turbine towers shall be situated on the lot so that the distance from all property lines is at least the height of the tower.
    - b. CWECS facilities are subject to setback requirements according to FAA regulation, Oklahoma Department of Aerospace and Aeronautics (Title 25: OAC Chapter 40: Wind Energy Rules), and the Oklahoma Wind Energy Development Act (Sec. 160) in addition to the requirements of this section.
  2. *Height*
    - a. The height of a CWECS tower is measured from grade to the center of the hub.
    - b. Towers located in the RL-AG are not limited in height.
    - c. The height of towers located in all other districts is governed by the applicable zone.
    - d. CWECS facilities are subject to height requirements according to FAA regulation, Oklahoma Department of Aerospace and Aeronautics (Title 25: OAC Chapter 40: Wind Energy Rules), and the Oklahoma Wind Energy Development Act (Sec. 160) in addition to the requirements of this section.
- D. **Safety.** Access to the system shall be limited by one or more of the following:
1. a fenced yard with a locking portal.
  2. a fence 6 feet tall with a locking portal a distance of 3 feet from the base of the CWECS tower.
  3. limiting climbing apparatus to no more than 12 feet from the ground.
  4. an anti-climbing device 12 feet from the ground.
- E. **Noise**
1. Noise levels, measured at the property line, shall not exceed those allowable under Chapter 34 of the Oklahoma City Municipal Code.
  2. Upon citation for excessive noise, the owner of the CWECS tower will comply with subsection 1 above or remove the facility within 30 days.
- F. **Hazard Warning.** At least one sign shall be posted at the base of any CWECS turbine warning of the hazard of electrical shock and describing or illustrating shutdown procedures.
- G. **Signal Interference.** Any CWECS tower found to cause interference with Communications or Utilities uses must be modified to alleviate the problem or removed within 30 days. Granting of a building permit for this use in an Airport Zoning Overlay District shall require review and approval from the Department of Airports.
- H. **Decommissioning.** A decommissioning plan in accordance with the Oklahoma Wind Energy Development Act shall be required as part of a zoning or building permit review.