

The City of Oklahoma City  
Zoning and Planning Code

# HANDOUT

Ordinances related to the  
**BRICKTOWN URBAN DESIGN**  
(BC)

CHAPTER 59 ZONING AND PLANNING CODE

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**ARTICLE III. - ADMINISTRATIVE BODIES AND OFFICIALS**

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**§ 59-3400. - Bricktown Urban Design Committee.**

**3400.1. Establishment.** The City of Oklahoma City has previously established the Bricktown Urban Design Committee.

**3400.2. Powers.** The Bricktown Urban Design Committee shall have the following powers:

- A. To administer the design review process for the Bricktown Core Development District.
- B. To issue Bricktown Certificates of Approval for property located within the Bricktown Core Development District.
- C. To comment upon and provide recommendations on actions proposed to other City boards, committees, and commissions with respect to the effect of such actions upon the District.

**3400.3. Membership, Terms and Organization.**

- A. Membership. The Bricktown Urban Design Committee shall consist of seven members, whom the Mayor shall appoint with the consent and approval of the City Council. The Bricktown Urban Design Committee shall be composed as follows:
  - (1) One citizen member shall be an architect knowledgeable in the field of historic preservation.
  - (2) Three citizen members shall be owners or tenants within the BC District. In lieu of this requirement, one such member may be a member of another City Design Review Committee or Commission.
  - (3) Two members shall be resident citizens of The City of Oklahoma City with demonstrated knowledge of the District.
  - (4) One member shall be a registered architect, landscape architect, urban planner, or licensed civil engineer with demonstrated knowledge of urban design principles.
- B. Officers. The Bricktown Urban Design Committee shall elect a Chairperson who shall serve for one year or until his/her successor takes office, and shall be eligible for re-election.
- C. Compensation. All members of the Bricktown Urban Design Committee shall serve without compensation
- D. Term of Office.
  - 1) The term of each member of the Bricktown Urban Design Committee shall be two years or until his/her successor takes office.
  - 2) No member shall serve more than three consecutive terms, provided however, the initial appointments at the time of creation of the committee for terms less than two

years or the terms served for the purpose of filling vacancies shall not be considered as counting towards the three consecutive term limits set forth in this section.

- 3) Members who have served three consecutive terms may be reappointed after having rotated off the Commission for at least one full year.

E. Removal of Members.

Members may be removed by the Mayor with the consent and approval of the City Council, for inefficiency, neglect of duty, or malfeasance in office. The Mayor shall file a written statement of the reason for the removal. Members may resign with the Mayor's acceptance of a letter of resignation.

F. Vacancies.

The Mayor, with the consent and approval of the City Council may appoint members to fill the remainder of vacant terms.

**3400.4. Meetings and Procedures.**

- A. Meetings. Meetings shall be scheduled monthly; these may be canceled for lack of applications. Special meetings of the Bricktown Urban Design Committee shall be held at the call of the Chairperson or at the request of the majority of the members of the Committee.
- B. Presiding Officer. The Chairperson or, in his/her absence, the Acting Chairperson, shall preside over the meeting, administer oaths and may request the attendance of witnesses.
- C. Attendance. Members of the Bricktown Urban Design Committee are required to attend at least 75 percent of the regularly scheduled Bricktown Urban Design Committee meetings over a one calendar year period. Failure to achieve this level of attendance shall result in the automatic termination of the member's tenure with the Bricktown Urban Design Committee and the Mayor may make an appointment to fill the vacancy.
- D. Quorum. Three members of the Bricktown Urban Design Committee shall constitute a quorum for the transaction of business.
- E. Open to Public. All meetings of the Bricktown Urban Design Committee shall be subject to the Oklahoma Open Meetings Act (25 O.S. § 301 et seq.). Any person shall be entitled to appear and be heard on any matter before the Bricktown Urban Design Committee.
- F. Rules. The Bricktown Urban Design Committee shall adopt its own rules of procedure not in conflict with Oklahoma statutes or the Municipal Code.
- G. Vote. Action taken at any meeting shall require the concurring vote of a majority of the members of the Bricktown Urban Design Committee who are present at the meeting.
- H. Records. The Bricktown Urban Design Committee shall keep a record of its proceedings, a copy of which shall be filed for public view in the office of the Planning Director.

(Ord. No. 23821, § 1, 3-24-09; Ord. No. 24009, § 2, 2-2-10)

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## ARTICLE IV. - ADMINISTRATIVE PROCEDURES

### § 59-4100. - Applications and fees.

All applications for the administrative procedures established in this section shall be filed in accordance with the provisions set forth in this section.

**4100.1. Receipt of Applications.** Applications for special exception uses, special permit uses, variances, administrative appeals, zoning text and map amendments, development plans (including planned unit developments), Certificates of Appropriateness and Certificates of Approval shall be filed with the Planning Director, who shall distribute it to other appropriate City departments for review.

**4100.2. Form, Number and Scale.** Applications shall be on forms provided by the City and shall be filed in such number according to instructions provided. All plans that are part of any application shall be at a scale sufficient to permit a clear and precise understanding of the contents of the proposal.

**4100.3. Submittal Requirements.** Every application shall contain the required minimum submittal data and information as listed in the application form.

**4100.4. Application Completeness.** The Planning Department staff shall determine whether the application is complete. If the application is not complete, the Planning Department staff shall notify the applicant of any deficiencies and shall take no steps to process the application until the deficiencies are remedied. Once the Planning Department staff has determined that the application is complete, the application shall be scheduled for consideration at a public hearing, when applicable.

**4100.5. Withdrawal of Application.** An applicant shall have the right to withdraw an application at any time prior to the decision on the application by a City official, commission or board. Such withdrawal shall be in writing.

**4100.6. Fees.**

- A. **Filing Fees.** Every application shall be accompanied by the required filing fee, as established, and modified from time to time, by ordinance of the City Council. The failure to pay such fee when due shall be grounds for refusing to process the application and for denying or revoking any permit or approval sought or issued for the subject property. No fees shall be waived, and no fees shall be refunded, except those authorized by the City Council in its sole discretion.
- B. **Fee Waiver for Newly Annexed Properties.** For a period of 24 months following the date of annexation of property to the City, no filing fee shall be required for filing applications or petitions to change the zoning of property and to amend district boundaries, if, prior to the inclusion of said property within the corporate limits of the City, a petition or application for zoning said property and a filing fee was paid to a County Planning Commission. However, the usual fee provided by ordinances shall be paid for filing such petitions in all cases in which the petitioner is not requesting zoning equivalent to that petitioned or applied for and granted before such County Planning Commission.

§ 59-4150. - Public hearings and notices.

**4150.1. Setting a Public Hearing.** When the Planning Department staff determines that the application is complete and a public hearing is required by this chapter, the date, time and location for such hearing shall be determined, and scheduled pursuant to the procedures and standards of this chapter.

**4150.2. Published Notice of Public Hearings.** The City shall arrange for the publication of a public notice in a newspaper of general circulation in The City of Oklahoma City for all applications requiring public hearings, including adoption or amendment of the Comprehensive Plan, changes in general zoning and/or subdivision regulations, zoning district boundary changes, planned unit developments, special permits, special exceptions, variances, and plat and subdivision approval. The notice shall include the date, time and location of such hearing, a description of the proposal or variance request to be heard or considered, and the address or particular location of the subject property. The notice shall be published at least 15 days prior to the public hearing.

**4150.3. Written Notice of Public Hearings.** In addition to the required published notice, the City shall be required to mail written notice for all applications for zoning district boundary changes, planned unit developments, special permits, special exceptions, variances, and plat and subdivision approval in accordance with the following provisions:

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

or counties in which subject property is located. Further, such required listing of neighboring property owners shall be certified as true and correct by the applicant. Such listing of neighboring property owners shall include complete mailing addresses, including zip code, and shall include legal descriptions.

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

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

**4150.5 Public Hearing and Notice Requirements for Riverfront Design Committee and Bricktown Urban Design Committee Meetings.**

In order to encourage citizen participation and assure that all interested parties shall be informed, and in addition to the notice provided in accordance with the Oklahoma Open Meeting Act, 25 O.S. § 301-314, notice of public hearings regarding action to be taken by the Riverfront Design Committee or Bricktown Urban Design Committee shall be given as follows:

- A. Written Notice Requirement. If an application for a Certificate of Approval is scheduled for a public hearing before the design committee, the City is required to mail written notice to all property owners within a 150-foot radius of the exterior boundary of the subject property. Such notice shall be compiled from the current year's records of the County Clerk or the current year's tax records of the county in which the subject property is located, and shall be mailed by regular mail at least six business days prior to such hearing. The notice shall include the date, time, and



location of the hearing, a description of the proposal, and the address or particular location of the subject property.

- B. **Published Notice Requirement.** If the design committee is scheduled to provide a recommendation to another board or commission regarding proposed changes in general zoning and/or subdivision regulations, the City shall arrange for the publication of a public notice in a newspaper of general circulation in the City of Oklahoma City. The notice shall include the date, time, and location of such hearing, and a description of the proposal to be heard or considered. The notice shall be published at least 15 days prior to the public hearing.

**4150.6. Public Examination and Copying of Applications and Other Documents.**

During normal business hours, any person may examine the application and material submitted in support of, or in opposition to, the application, in accordance with the Oklahoma Open Records Act, 51 O.S. §§ 24A.1-29. Upon reasonable request, any person shall be entitled to copies of the application and related documents. The City Clerk shall make copies of such materials available and a fee may be charged as established in Chapter 60, Oklahoma City Municipal Code, 2010.

**4150.7. Conduct of Public Hearing.**

Matters pertaining to the conduct of public hearings shall be governed by the provisions of this chapter, and the rules and procedures promulgated by the board, commission, or committee conducting the hearing.

(Ord. No. 24487, § 1, 7-3-12; [Ord. No. 24901, § 2, 6-10-14](#))

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**§ 59-4250. - DISCRETIONARY REVIEW PROCEDURES.**

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**4250.6. Bricktown Urban Design Review.**

**A. Establishment**

The City of Oklahoma City hereby establishes the process for granting Bricktown Certificates of Approval.

**B. Authority and Execution.**

The Bricktown Urban Design Committee shall review and take action on applications for Bricktown Certificates of Approval for properties located within the Bricktown Core Development District, except that certain improvements may qualify for administrative approval by staff pursuant to Section 59-7150.1.C.

**C. Recommendations and Review.**

The Director, or a designee, shall notify the members of the Bricktown Urban Design Committee of all actions undertaken by other City boards, committees, and commissions with respect to the effect of such actions upon the District.

- (1) The Committee shall have the opportunity to comment upon and make recommendations on actions undertaken by other City boards, committees, and commissions with respect to the effect of such actions upon the District.
- (2) The Committee's review shall primarily be concerned with the effect the proposal would have on the character of the Bricktown Core Development District, as stated in the District Regulations and Design Guidelines, and the overall character, as stated in the General Description of the District provided in Section 59-7150 of this chapter.
- (3) The Committee, in considering an application for a Bricktown Certificate of Approval, shall be guided by the design guidelines contained within the regulations of this section, and other adopted guidelines, including the Bricktown Sign Design Guidelines, the Downtown Development Framework, and the Building Conservation and Rehabilitation Guidelines maintained online or in the office of the City Clerk.
- (4) Murals, as described in Section 59-8250.16, shall be submitted to the Arts Commission for review, comment, and recommendation prior to consideration by the Bricktown Urban Design Committee.

**D. Procedure.**

**(1) Bricktown Certificate of Approval Required.**

No building permit shall be issued for exterior work on any structure or site located within the Bricktown Core Development District until a Bricktown Certificate of Approval has been approved, unless the applicant demonstrates that the proposed work does not require a Certificate of Approval.

**(2) Applications.**

Applications for Bricktown Certificates of Approval shall be filed in accordance with the requirements of Section 59-4100 on forms provided by the City. Each application shall describe clearly all proposed changes.

**(3) Action by the Bricktown Urban Design Committee.**

(a) All complete Certificate of Approval applications received prior to the deadline for submission of applications for scheduled monthly meetings shall be heard by the Bricktown Urban Design Committee, unless the application is eligible for administrative approval or unless a continuance is requested by the applicant.

(b) The Bricktown Urban Design Committee shall approve, conditionally approve, or deny the Certificate of Approval. However, the Bricktown Urban Design Committee may order and/or grant a continuance if it

determines the application to be incomplete, or a continuance is requested by the applicant. The Committee may also order a continuance to request more information even if the application is complete.

- (c) The Bricktown Urban Design Committee or staff shall forward applications for murals to the Arts Commission for comments and recommendations prior to taking final action.
- (d) The Bricktown Urban Design Committee may adopt design guidelines to aid in their design review responsibilities. Said guidelines may supplement the design guidelines established in this section, but not contradict them.

**E. Expiration and Extension of Bricktown Certificate of Approval.**

- (1) A Bricktown Certificate of Approval shall expire two years from the date of its approval, except as follows:
  - (a) Demolitions: 6 months
  - (b) Temporary Signs - Large Display Banners and Supergraphics: 60 days
  - (c) Projection Image Signs: One week
  - (d) Temporary Construction Staging Areas, Off-Site: One week after completion of the construction project related to the Certificate of Approval.
- (2) Extensions
  - (a) Applicants may apply for an extension to any active Certificate of Approval. An application for extension must be filed 30 days prior to the expiration of an active Certificate of Approval.
  - (b) Staff may determine, for good cause shown, that prior to the expiration of a Certificate of Approval, an extension of time to complete the work should be granted. Staff may approve extension requests or forward such requests to the Committee for consideration as deemed necessary. For purposes of this section, good cause may include, but may not be limited to:
    - 1. a showing by the applicant that continuous progress is being made to complete said work;
    - 2. a showing by the applicant that due to the nature of the project, additional time is necessary to complete said work;
    - 3. a showing by the applicant that due to conditions beyond the control of the applicant, said work was unable to be completed within the prescribed time period.
  - (c) A maximum of two extensions may be granted before a new review process is required, including a new application and the applicable fee.

**F. Appeals.**

Any person aggrieved by a decision of the Bricktown Urban Design Committee or staff may appeal such decision to the Board of Adjustment. The appeal shall be filed in accordance with the provisions of Section 59-4250.10 (Appeals).

**G. Continuances.**

Continuances may be granted on any case, provided progress has been demonstrated. In the event no progress has been demonstrated on a case for a period of six continuous months, the case shall be deemed withdrawn.

**H. Preliminary Review.**

In order to facilitate the timely approval of projects with significant impact, applicants are encouraged to request a preliminary review by staff prior to formal submittal for analysis of compliance with the regulations and guidelines of the Bricktown Urban Design Committee. Preliminary review is most effective at the schematic design phase. Based on the scale or significance of the project, staff may recommend that the project be presented to the Committee for preliminary comments prior to submittal of the application.

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**4250.10. Appeals.**

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

\* \* \*

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

## ARTICLE VII. - SPECIAL PURPOSE DISTRICTS

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### § 59-7150. - Bricktown Core Development District.

#### **7150.1. BC Bricktown Core Development District.**

##### **A. General Description.**

This mixed-use district allows for a wide range of commercial, residential, office, warehouse and limited industrial uses. It is intended to facilitate the adaptation of a warehouse district to a more vibrant mixture of uses, and encourage compatible new development while preserving the distinct visual architectural character and historic significance of the District as a whole and the individual structures within it. The Bricktown Core Development District is divided into two sub-districts to acknowledge the distinct differences between these defined areas, West Bricktown and East Bricktown. The boundary between West Bricktown and East Bricktown is Russell M Perry Avenue/Joe Carter Avenue.

West Bricktown is considered to be the historical core of Bricktown where the existing collection of red brick warehouse buildings with distinct architectural characteristics set the tone for mass, bulk, height, window patterns, and proportion in the design and development of new structures in this area. New structures in this area should be designed to utilize brick as a primary exterior building material and to maintain a strong architectural identity with the existing building stock in this core area of the District.

East Bricktown includes larger parcels of land undergoing a transition from low-rise industrial structures to a variety of new uses that support and complement uses in West Bricktown. East Bricktown is characterized by newer and generally larger structures. New structures in this area should exhibit some similarities and connection to the architectural heritage of the historical core by implementing similar design themes and proportions and by using brick as an associative building material but also integrating more modern design elements and more contemporary building materials and exterior treatments.

##### **B. Purpose and Intent**

Development Regulations and Guidelines in this District are intended to:

- (1) Promote the development and redevelopment of the Bricktown Core Development District in a manner that is in keeping with its status as a premier entertainment destination that is family-friendly, safe, and attractive;

- (2) Preserve and reinforce historic resources and circulation patterns within the District;
- (3) Ensure that new structures and renovations to existing structures are designed to enliven and invigorate the street scene with active uses oriented to the primary streets and the canal; and to ensure that architectural styles and treatments acknowledge the character of the District while allowing for contemporary accents, features, and elements;
- (4) Recognize the importance of the District's distinctive collection of red brick warehouse structures in West Bricktown as the essential foundation of the core of the District and support the continued rehabilitation, restoration, and creative reuse of these structures; and to ensure that new development in West Bricktown respects the scale, proportion, and fundamental design characteristics of these characteristic structures;
- (5) Promote improved walkability within the District and encourage enhanced pedestrian connectivity from Bricktown to adjoining areas and attractions.

**C. Certificate of Approval Required**

A Bricktown Certificate of Approval shall be required in the following instances prior to the commencement of work on any project, public or private, located within the Bricktown Core Development District. The design review process for the BC District can be found in Section 59-4250.6 Bricktown Urban Design Review.

**(1) Committee Approval**

The Bricktown Urban Design Committee shall review and issue Certificates of Approval for the following, unless administrative approval by staff is permitted, as referenced in this Section:

- (a) New construction, additions, or exterior modification of an existing structure and associated site where the proposed modifications impact more than ten percent of the site or structure.
- (b) Revisions to submittals previously approved by the Bricktown Urban Design Committee where the proposed revisions impact more than 20 percent of the site or structure.
- (c) Signage, including any sign exceeding one hundred (100) square feet or any Electronic Message Display (EMD) sign or Projection Image Sign exceeding twenty-five (25) square feet in total area.
- (d) Parking lots with more than 10 parking stalls.
- (e) Demolition of a structure except structures declared dilapidated and approved for demolition by City Council.
- (f) Public or private streetscape improvements.

- (g) Painting of the exterior of any previously painted structure that is not consistent with the color specifications provided in Section 7150.1.F.(2)(j)3.
- (h) Proposed plans for the removal of historically significant public improvements. These include, but are not limited to portions of brick streets and railroad lines or rails within the District.
- (i) Murals (Use Unit Classification 8250.16).

**(2) Administrative Approval**

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

- (a) Modifications to a structure or site where the proposed improvements impact ten percent or less of the site or structure being modified.
  - (b) Revisions to Certificates of Approval previously approved by the Bricktown Urban Design Committee where the proposed revisions impact twenty percent or less of the site or structure.
  - (c) Painting of the exterior of any previously painted structure that is consistent with the color specifications provided in Section 7150.1.F.(2)(j)3.
  - (d) Signage, including:
    - 1. Any Electronic Message Display (EMD) sign less than or equal to 25 square feet in total area;
    - 2. All other signs less than or equal to 100 square feet in total area;
    - 3. Any Projection Image sign less than or equal to 25 square feet in total area;
    - 4. Temporary Signs - Large Display Banners and Supergraphics.
  - (e) Parking lots of ten (10) or fewer parking stalls.
  - (f) Removal or addition of awnings, canopies, and lighting.
  - (g) Removal or addition of fencing.
  - (h) Screening of mechanical equipment and waste receptacles.
  - (i) Minor public and private improvements including but not limited to sidewalks, kiosks, landscaping, bus stop shelters, benches, driveways, bike racks, waste receptacles, retaining walls, and ornamental lighting.
  - (j) Temporary Construction Staging Areas, Off-Site.
- (3)** Staff may forward applications that qualify for administrative approval to the Committee for consideration as deemed necessary.
- (4) Exemptions**



A Bricktown Certificate of Approval shall not be required for Ordinary Maintenance and Repair that involves no change in materials, dimensions, design, configuration, color, texture, surface coating, or visual appearance for work meant to remedy damage or deterioration of site elements, structures, or their appurtenances.

**(5) Revisions to Certificates of Approval**

- (a)** Staff may approve revisions to an unexpired Certificate of Approval, with the appropriate fee, for revisions that impact twenty percent or less of the site or building, provided that the proposed revisions maintain conformance with the applicable regulations and guidelines in place at the time of the original submittal and any conditions associated with the original approval.
- (b)** Staff may approve minor revisions to an unexpired Certificate of Approval, without additional fees, provided that the following conditions are satisfied:
  - 1.** No more than five percent of the site or building is modified from the original Certificate of Approval;
  - 2.** Revisions are consistent with any conditions associated with the original Certificate of Approval;
  - 3.** Revisions do not significantly alter the work previously approved; and
  - 4.** Revisions are in conformance with regulations and meet the intent of the guidelines.

**D. Use Regulations.**

- (1)** Uses permitted in the BC District can be found in Table 7150.1.2.
- (2)** Accessory Uses and Structures

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

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

**E. Development Regulations**

Table 7150.1 establishes the Bulk and Yard Regulations for the Bricktown Core Development District. Table 7150.2 establishes the Use Regulations for the Bricktown Core Development District. Special standards for specific uses identified in Table 7150.2 as Special Exception (SE) are found in Section 59-9350, Standards for Specific Uses.

<b>TABLE 7150.1 BC BRICKTOWN CORE DEVELOPMENT DISTRICT BULK REGULATIONS</b>		
<b>BULK STANDARDS</b>	<b>BC DISTRICT</b>	
<b>Minimum Building Height</b>	West Bricktown: <sup>1</sup> 3 stories or 50 feet East Bricktown: <sup>2</sup> 4 stories or 60 feet	
<b>Maximum Building Height</b>	140 feet <sup>3</sup>	
<b>Minimum Lot Coverage</b>	60%	
	<b>Commercial Frontages<sup>4</sup></b>	<b>Mixed-Use Frontages<sup>4</sup></b>
<b>Building Entrances</b>	Primary entrances shall face the street and be flush with the sidewalk. Entrances may be recessed if the Pedestrian Zone is less than 12 feet wide.	Primary entrances shall face the street and be flush with the sidewalk. Entrances may be recessed if Pedestrian Zone is less than 12 feet wide.  Residential entrances may use a stoop or direct/angled staircase.
<b>Street Level Transparency</b>	At least 60% of the façade at street level or canal level shall be constructed of transparent materials.	At least 60% of Commercial and Office façades and 25% of Residential facades at street level or canal level shall be constructed of transparent materials.
<b>Landscape Buffer</b>	Not required.	A landscape buffer is required where the building is set back from the Pedestrian Zone.
<b>YARDS</b>		
	<b>Commercial Frontages<sup>4</sup></b>	<b>Mixed-Use Frontages<sup>4</sup></b>
<b>Front Yard</b>	10 feet maximum At least of 90% of the building face shall abut the property line. Up to 10% of the building face can be recessed for a plaza or other purpose. All such recessed areas shall be hardscaped and/or landscaped.	10 feet maximum At least 70% of the building face shall abut the property line. Up to 30% of the building face can be recessed for a plaza or other purpose. All such recessed areas shall be hardscaped and/or landscaped.
<b>Side Yard</b>	None	
<b>Rear Yard</b>	None	

1 - West Bricktown is defined as that portion of the BC District west of S Joe Carter Ave/Russell M Perry Ave.

2 - East Bricktown is defined as that portion of the BC District east of S Joe Carter Ave/Russell M Perry Ave.

3 - Section 7150.1.F. includes a guideline that suggests a height limit of 80 feet but allows up to the maximum of 140 feet.

4 - Streets designated for Commercial or Mixed-Use Frontages are defined in Section 59-7150.1.E.(1).

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

**KEY:**

P = Permitted // C = Conditional // SE = Special Exception // V = Variance // A = ABC  
Reference Section 59-9350 for standards for specific uses identified as (C) or (SE).

	<b>USE</b>	<b>BC DISTRICT</b>
8350.2	Aboveground Flammable Liquid Storage: Restricted	SE
8300.1	Administrative and Professional Offices	P
8300.2	Adult Day Care	SE
8300.5	Alcoholic Beverage Retail Sales	P
8300.11	Animal Sales & Services: Kennels & Veterinary, Restricted	P
8300.12	Automotive: Parking Garages	P
8300.13	Automotive: Parking Lots, as a Principle Principal Use	P
8300.14	Automotive & Equipment: Cleaning & Repairs, Light Equipment	C
8300.23	Building Maintenance Services	P
8300.24	Business Support Services	P
8300.25	Child Care Centers	P
8300.27	Communications Services: Antennas	C
8300.29	Communications Services: Limited	P
8250.2	Community Recreation: General	P
8250.3	Community Recreation: Property Owners Association	P
8250.4	Community Recreation: Restricted	P
8300.32	Convenience Sales & Personal Services	P
8250.5	Cultural Exhibits	P
8350.3	Custom Manufacturing	P
8300.33	Drinking Establishment: Sitdown, Alcohol Permitted	A
8200.2	Dwelling Units and Mixed Use	P
8300.34	Eating Establishment: Drive-In	P
8300.35	Eating Establishment: Fast Food	P
8300.37	Eating Establishment: Sitdown, Alcohol Not Permitted	P
8300.38	Eating Establishment: Sitdown, Alcohol Permitted	P
8300.39	Eating Establishment: Sitdown, Limited Alcohol Permitted	P
8300.41	Food and Beverage Retail Sales	P
8300.46	Gasoline Sales, Small: Restricted	P
8200.3	Group Residential	P
8150.7	Horticulture	P
8300.48	Laundry Services	P
8250.11	Library Service & Community Centers	P
8350.8	Light Industrial	P
8250.12	Light Public Protection & Utility: General	P
8250.13	Light Public Protection & Utility: Restricted	P
8200.4	Live Work Units	P
8300.49	Lodging Accommodations: Bed and Breakfast	P
8300.51	Lodging Accommodations: Commercial Lodging	P
8300.52	Medical Services: General	P
8300.53	Medical Services: Restricted	P
8450.2	Mining and Processing: Oil and Gas	V
8250.15	Moderate Impact Institutional	SE
8200.12	Multiple-Family Residential	P
8250.16	Murals	C
8300.55	Participant Recreation & Entertainment: Indoor	P
8300.56	Participant Recreation & Entertainment: Outdoor	P

8300.58	Personal Services: General	P
8300.59	Personal Services: Restricted	P
8300.61	Repair Services: Consumer	P
8300.62	Research Services: Restricted	P
8300.63	Retail Sales & Service: General	P
8200.14	Single-Family Residential	P
8300.67	Spectator Sports & Entertainment: General	P
8300.68	Spectator Sports & Entertainment: High Impact	P
8300.69	Spectator Sports & Entertainment: Restricted	P
8200.15	Three- & Four-Family Residential	P
8400.3	Transportation Facilities: Surface Passenger	P
8200.16	Two-Family Residential	P
8350.16	Wholesaling, Storage & Distribution: Restricted	P
8450.4	Underground Injection Wells: Enhanced Recovery Wells	SE

**(1) Building Frontage Designations**

Streets in the BC District are designated as either Commercial Frontage streets or Mixed-Use Frontage streets based on the primary use and function of the corridor, as defined by the Downtown Development Framework, maintained online or in the office of the City Clerk. Development is subject to the design and yard standards provided in Table 7150.1.

**(2) Parking and Landscaping Requirements.**

**(a) Off-Street Parking**

For the purpose of this section, off-street parking shall mean any stand-alone surface parking lot (Use Unit 8300.13 - Automotive: Parking Lots, as a Principle Use) and any surface parking lot associated with a development.

1. The Bricktown Core Development District is exempt from providing minimum off-street parking per Section 59-10600.3.I., however, when parking is provided, all off-street parking shall be subject to the following sections of Chapter 59 of the Zoning and Planning Code:
  - a. Section 59-11250.E., Automotive Parking Lot Landscape Requirements;
  - b. Section 59-11350, Landscape Irrigation Requirements; and
  - c. Article X, Off-Street Parking, Loading and Access.
2. Off-street parking shall not be located:
  - a. Within 50 feet of the corner of intersecting public streets, as measured from the abutting property lines along each street; nor
  - b. Within 75 feet of the nearest edge of the Bricktown Canal.

3. Where off-street parking abuts a street frontage, one or both of the following screening elements shall be installed and maintained so as to create a continuous visual barrier designed to minimize views of parked vehicles. Such screening elements shall not encroach upon the public right-of-way:
  - a. A minimum three-foot high wall or fence.
    - i. In cases where a fence height more than three feet tall is desired, the fence panel areas over three feet tall must provide for visual transparency and shall not be solid panels.
    - ii. When the fencing material proposed is open and does not provide a continuous screen, the landscaped strip required in Section b. below, must be provided.
    - iii. When the fence or wall proposed provides a continuous visual screen, any landscaped strip provided in front of the wall or fence does not need to be a continuous screen.
  - b. A minimum 5-foot wide irrigated landscaped strip.
    - i. Landscape plantings shall be planted with species that will create a continuous visual screen of at least three feet in height at maturity.
    - ii. Landscaped areas shall be designed to discourage damage to the vegetation due to pedestrian through-traffic.
4. Any modification to an existing parking lot that results in an increase in square footage of more than 500 square feet for the purpose of providing additional parking stalls shall be required to bring the entire parking lot into compliance with all applicable provisions of this Chapter.
  - a. **Exceptions:**
    - i. Any off-street parking stalls that exist within 50 feet of the corner of a public street, as measured from the abutting property line along each street, or within 75 feet of the nearest edge of the Bricktown Canal at the time of such proposed parking lot modification may remain in place, but shall otherwise come into compliance with this Chapter.
    - ii. Modifications to existing parking lots shall not mean activities associated with the repair of existing parking lots, such as resurfacing, patching, or restriping.

**(b) Parking Garages**

All parking garages (Use Unit 8300.12 – Automotive: Parking Garages) shall be designed to screen views of parked vehicles at every level of the parking garage from all canal and street level views. Such screening for parking garages shall be provided through the use of visually appealing architectural materials or through architectural methods that disguise the garage to look like a building.

**(3) Irrigation**

All landscaping shall be irrigated by one of the methods specified in Section 59-11350.

**(4) Sidewalks**

Sidewalks shall be provided as part of all projects as follows:

- (a)** All sidewalks and sidewalk treatments shall be subject to all permitting requirements of the Public Works Department.
- (b)** In conjunction with all new development and with the renovation of existing structures where no sidewalks exist, sidewalks shall be extended within the public right-of-way along the entire property frontage to the adjacent side lot lines. In the case of corner lots, sidewalks shall be extended to the adjacent lot along each street frontage.
- (c)** The required sidewalk shall be a minimum of five (5) feet wide. All required sidewalks shall be maintained free of any obstructions to allow for the passage of pedestrians. The sidewalk shall not be shared with the Amenity or Storefront Zones, unless otherwise provided for herein.

1. Exceptions:

- a. Where necessary to address specific pedestrian access needs, match adjacent sidewalk segments, or enhance existing sidewalk conditions, sidewalks may be wider than five feet with the minimum width being determined by staff based on the surrounding conditions.
- b. In instances where there is not sufficient right-of-way to provide the minimum five-foot wide sidewalk, all available space between the back of

the curb and the building line shall be improved as sidewalk.

- c. The Bricktown Urban Design Committee or staff, upon consideration of a specific land use such as residential, may approve a reduced sidewalk width provided that a landscaped area is located between the back of the curb and the sidewalk and between the building facade or building element and the sidewalk.

**(5) Building Materials**

Vinyl, aluminum, sheet metal siding, and concrete tilt-up walls shall be prohibited.

**(6) Signs**

Signs within the Bricktown Core (BC) Development District shall comply with sign regulations as referenced in Chapter 3 of the Code.

**(7) Dumpsters and Other Commercial Waste Collection Receptacles**

**(a)** Dumpsters and other commercial waste collection receptacles shall be sight-proof screened from view on all sides of the dumpsters or receptacles. A building, fence, wall, vegetation or other form of screening, built in accordance with Sections 59-11250.F.(3) and (4), (Sight-Proof Screening and Security Fences) and 12200.4.E(2) and (3), (Limitations on Dumpsters), shall be provided to satisfy this requirement. Building materials for sight-proof screening in the BC District shall be as follows:

1. Walls or fences for the screening of dumpsters shall be constructed of brick or masonry covered with brick or brick veneer.
2. Gates for the trash enclosure shall be made of solid metal.
3. Wood fencing and chain-link fencing with insertions/ weaving shall not be permitted for screening of dumpsters.

**(b)** A dumpster or receptacle and its required screening may only be located in the public right-of-way upon the issuance of a Revocable Permit for both the receptacle and

the installation of the screening. Any immobile screening fence or wall shall require a fence permit.

**(8) Fences and Walls**

Where fences or walls are proposed for purposes other than required sight-proof screening pursuant to Section 59-7150.1.E.(7), such fences shall result in a structure which is durable, attractive, and compatible with any adjacent structures.

**(a) Materials**

1. Permitted materials for fences and walls are brick, masonry, wrought iron, anodized aluminum, and wood.
2. If the fence material is wood, the surface shall be painted or stained in a uniform color that matches or complements the colors of the nearest building.
3. Chain-link fencing and cable fencing shall be prohibited.

**(b) Front Yard Fences and Walls**

Front yard fences and walls, other than those that enclose outdoor dining areas that face the public right-of-way, or those required to screen parking lots pursuant to Section 59-7150.1.E.(2), shall be prohibited.

**F. Design Guidelines**

These design guidelines are intended to encourage a high degree of continuity and compatibility in the construction of new buildings and in the rehabilitation of, or addition to, existing structures in the Bricktown Core Development District. Development proposals should be designed with a focus on respecting the form, scale, materials, detail, and methods of construction common to the “warehouse” architectural style represented by the original buildings found in and around the core of the District.

**(1) Development Pattern**

**(a) Site Design Considerations**

Site plans should be designed and oriented to complement the surrounding built environment and to address the following considerations:

1. Minimize the impact to the existing inventory of on-street parking stalls and avoid impeding or



otherwise impacting on-street vehicular circulation. Limiting the number of driveways per site is strongly encouraged.

2. Maintain, enhance, or extend the alley network in Bricktown.
  3. Provide or preserve points of vehicular or pedestrian access through the block.
  4. Blocks with over 400 feet of street frontage should be divided by pedestrian or vehicular passages with a minimum width of 20 feet.
  5. Surface parking lots should not be located abutting or facing a street and should be positioned to the rear behind existing or proposed buildings whenever possible.
  6. With the regulatory Building Frontage Standards set forth in Table 7150.1, the guidelines provided below also apply to the siting of buildings in the BC District:
    - a. While the maximum allowable building setback for sites on designated Commercial Frontages and Mixed-Use Frontages is 10 feet, buildings should preferably be located within five (5) feet of the front property line.
    - b. The front yard setback, or front and side yard setbacks for corner lots, should be within the range of setbacks of the existing buildings on the same side of the street on the same block.
- (b) **Building Orientation** - New buildings and additions should be sited and designed to maintain building mass and height at the right-of-way line on all interior and corner lots that front a public street or the canal. New buildings and additions to buildings on corner lots should treat both street frontages in the same manner with comparable architectural detailing.
- (c) **Building Scale** - In general, the bulk and mass of new buildings should be compatible with surrounding buildings in scale and proportion. Additionally, the following guidelines should also be utilized in the design of buildings in the BC District:

1. New construction should be designed to provide a graduated transition between existing buildings of differing scales. Extreme differences in mass and scale between adjacent structures should be avoided.
2. New buildings and additions to existing buildings should be designed to incorporate the approximate scale and proportion of the existing building and/or the surrounding buildings, provided such buildings meet current development standards.
3. Building mass and height should be concentrated at key intersections and along major pedestrian corridors.
4. Buildings that are three (3) or more stories taller than adjacent buildings should be recessed on upper floors to provide a graduated transition in height.

(d) **Building Height** - While the maximum allowable building height is 140 feet, new construction is encouraged to maintain a maximum height limit of 80 feet or less unless a greater height is compatible with existing buildings located on the same block on either side of the street.

(2) **Building Design, Treatments, and Materials**

Building design within the Bricktown Core Development District should promote continuity and compatibility with the existing architectural character of the District while encouraging designs that incorporate elements of architectural diversity and innovation. Modern interpretations of the prevalent traditional architectural elements common to the District are encouraged. Architectural treatments should reinforce the overall character of the immediate surroundings, create a strong building-to-pedestrian relationship, and support a strong urban environment.

(a) **Architectural Continuity**

1. New buildings should incorporate design treatments that assure architectural compatibility and continuity with adjacent structures and the character of the District, such as the alignment of features including belt courses, cornices, and windows.
2. While continuity is encouraged, efforts should be made to avoid simple repetition which can result in architectural monotony. The architectural design of each individual building should have its own

distinctive character and appearance while maintaining a strong degree of compatibility with the District through the use of common and complementary building materials and similar scale, massing, and proportion.

**(b) Contemporary Design Elements**

1. For new structures, contemporary design elements may be employed to provide a modern interpretation of Bricktown warehouse architecture or as a means to accent a building entry or other significant structural element, provided that the contemporary elements are designed to complement the established architectural style of the District. Such designs should exhibit some degree of continuity with adjacent or nearby structures and the architectural character of Bricktown at the interface of adjoining buildings.
2. For existing structures, contemporary design elements may be introduced in proposed renovations provided that the architectural integrity of the primary street-oriented elevation(s) is largely preserved. Elevations that do not face primary streets (such as interior lot line facades or alley facades) may present an opportunity for more extensive use of contemporary design elements, such as modern storefront glass, concrete, or architectural metals, provided they are carefully integrated with the building's traditional architectural features.

**(c) Front Setback Treatments**

1. For the front setback, or front and side setbacks at corner lots, buildings should be within the range of building setbacks established by the existing buildings on the same side of the street on the same block.
2. Buildings are encouraged to be positioned as close to the property line as possible provided that there is adequate space provided for the Pedestrian Zone. The front setback may be increased for the purpose of creating a recess to accommodate outdoor dining areas.

**(d) Street and Canal Frontages**

The architectural detailing of building elevations fronting public streets and the canal should focus on creating a strong and inviting building-to-pedestrian relationship between those facades and any adjacent pedestrian pathways, public plazas, or sidewalks. Measures that should be used to enhance pedestrian-friendly building facades include, but are not limited to:

1. The ground floor should be distinguished and delineated from upper floors through design treatments, building materials, awnings, canopies, floor height, window height, or some combination thereof.
2. Awnings, canopies, galleries, and similar features are encouraged to articulate commercial street level uses, protect pedestrians, and add visual interest.
3. Service, delivery, and trash room entries should not be located on street or canal frontages.
4. Building lobbies should take up as little street frontage as possible in order to preserve frontage for commercial space.
5. At the first and second floors, incorporate an ample amount of transparent windows and doors in proportion with the scale, shape, and size of the front façade.
6. Utilize high-quality architectural detailing and materials at the ground level to enhance human scale and orientation.
7. Minimize intrusions into the Sidewalk Zone to ensure a clear, defined, and safe pedestrian pathway.
8. No wall facing a street or canal should have any continuous segment of blank wall space (no windows or doors) that exceeds 15 lineal feet.
9. When the plane of a wall at the ground level exceeds 25 lateral feet, the adjacent wall plane(s) should be offset (inward or outward) by at least two feet.
10. Include vertical breaks or articulation using columns or pilasters at a minimum of every 20 feet at the ground floor.

11. Special design prominence and definition should be applied to the design of buildings that face the corners of major intersections.

**(e) Awnings and Canopies**

1. Whenever awnings or canopies are used, they should be installed so that the valance is at least eight (8) feet above the sidewalk.
2. Awnings and canopies that extend into the public right-of-way should terminate no less than eighteen (18) inches from the back of the curb and should not extend into the Streetscape Zone.

**(f) Entrances**

1. All building entrances should be accentuated and defined by design elements such as lintels, pediments, pilasters, columns, porticos, porches, awnings, or canopies.
2. Elements such as lighting, distinct building materials, and changes in massing should be used to accentuate the location of all public entrances.
3. Open-air external stairwells used as primary entrances to buildings, floors, or units are strongly discouraged (not inclusive of fire escapes).

**(g) Base and Cap Detail**

New structures should reflect the historical architectural styles common to Bricktown, and incorporate features such as clearly defined horizontal elements (including cornice bands along the top and at the bottom of the building).

**(h) Roofs**

Buildings should have the appearance of a flat roof from the ground, and sloped roofs should be hidden by parapets. Roofs with other appearances are discouraged but may be considered if they are appropriate to the architecture of the structure and the surrounding context.

**(i) Windows**

The amount, sizing and spacing of windows is an important characteristic in the architectural design of significant buildings that define the District. Building elevations that face public streets and/or the canal should be designed to address the following guidelines:

1. Window alignment, design, and types for new buildings should be compatible with adjacent buildings.
2. Installation of new windows or window systems on existing buildings should respect the pattern, sizing, and spacing of the existing windows on the building.
3. Window openings should be accented and highlighted with architectural detailing such as surrounds, sills, or lintels. Cast stone accents should be considered where appropriate.
4. Window and door openings should generally be arranged in a symmetrical pattern and be vertically and horizontally aligned.
5. Use of contemporary storefront or glass elements with minimal framing should be limited to the first and second floors on street-oriented elevations and may be employed on upper floors on elevations that do not face streets.

**(j) Building Materials**

The predominant use of red brick as the primary exterior building material is critical to maintain continued architectural continuity with this defining characteristic of the District. Therefore, the primary building material used in the BC District should be red brick. However, other complementary materials may be integrated into facades primarily composed of brick as described by the guidelines provided in Section 2, below.

**1. Use of Brick**

- a. For new construction, exterior building elevations should incorporate at least 60% of exterior wall area in brick of varying shades of red in West Bricktown. In East Bricktown, exterior building elevations should incorporate at least 40% of the exterior wall area in red brick.
- b. Contrasting colors of brick may be utilized to accentuate certain features or elements of the primary elevations subject to approval by the Bricktown Urban Design Committee.

- c. Brick and masonry surfaces on new structures should not be painted.

**2. Use of Other Materials**

In Bricktown, the authenticity of exposed exterior materials is a key component to the appearance and appeal of structures in the District. Where materials other than brick are used, it is important to ensure that such materials are genuine, compatible with brick textures and colors, and used in a restrained manner as follows:

- a. Cast stone is a material that is highly compatible with brick and consistent with the established design context of the District. This material should be integrated into the design of new structures for use as sign plates, cornice bands, sills, lintels, wainscoting, corbels, and pilaster or column bases.
- b. Creative use of other materials, such as glass, smooth concrete, and architectural metals is encouraged provided that these materials are used in limited quantities and sensitively integrated with the established material palette of red brick and cast stone. The use of such materials should be limited and only used as a means to highlight or accent certain defined architectural features or façade elements of the structure.
- c. The use of stucco or synthetic stucco materials, such as Exterior Insulation and Finish Systems (EIFS), should be limited to a maximum of the exterior building material, not including the windows, as follows:
  - i. First three floors facing a street: 25%
  - ii. Above third floor facing a street: 40%
  - iii. First three floors not facing a street: 50%
  - iv. Above third floor not facing a street: 80%

- d. Architectural cast-in-place concrete may be approved through the design review process, provided that finish specifications indicate that the finished surface will be of high quality.
- e. Concrete masonry units (CMU), including decorative, glazed, split face, burnished and scored units may be appropriate for exposed exterior applications in East Bricktown. Exposed faces of plain smooth CMU should be avoided.
- f. Wood board siding may be appropriate provided product specifications indicate that the proposed material and the exterior finished surface is durable and of high quality.
- g. Additional cladding and accent materials may be allowed on a case-by-case basis provided that product warranties and specifications guarantee that the proposed material is comparable in quality and durability to any of the permitted materials specified in this section.
- h. The use of mirrored glass and metal siding (excepting architectural metals), is strongly discouraged.

### **3. Paint**

#### **a. Painting of Unpainted Structures**

Existing unpainted brick surfaces should not be covered with paint. In instances where the existing unpainted surface is composed of brick that is not one of the varying shades of red brick common to the District, such surfaces may be painted in order to make the building color more compatible with surrounding structures.

#### **b. Painting of Painted Structures**

Existing brick structures that have been painted may be repainted. The proposed paint colors should complement the red brick character of the District.



- i. Suggested paint colors include off-white or medium to dark shades of red or brown.
- ii. Trim and hardware may use the above colors plus shades of black or grey.

**c. Removal of Paint**

For the removal of paint from brick and masonry, the use of methods known to be damaging should be avoided, including but not limited to:

- i. Mechanical equipment;
- ii. High-pressure abrasive cleaning methods including but not limited to, blasting with soda, peanut or walnut shells, sand, or water; or
- iii. Acidic chemical cleaners.

**d. Historical Painted Signage**

Restoration, preservation, and repainting of existing historical painted signage, also known as ghost signs, is strongly encouraged. Such signage should be integrated into the design of any proposed remodeling or restoration effort. The colors used should be the same or similar to the original colors.

**(3) Pedestrian Circulation and Amenities**

Streetscapes are established within the BC District to create an attractive and animated sidewalk environment and to foster safe and efficient pedestrian movement.

- (a) Safe and accessible pedestrian routes should be provided to establish direct visual and physical access along all street and canal frontages and establish convenient connections within a site and to the primary entrance(s) of each building.
- (b) Pedestrian circulation should be enhanced and promoted by providing ample space at the front of the building, minimizing intrusions that disrupt pedestrian access, and considering the inclusion of street furniture (such as benches or other seating options), landscaping, and appropriate lighting. Wherever possible, site plan designs

should improve pedestrian connectivity within the District and to adjoining Districts by creating new pedestrian linkages or connecting to other existing pedestrian linkages.

**(c) Pedestrian Zone Designations**

For purposes of clarifying the applicability of certain design guidelines that are tied to specific Pedestrian Zone classifications, the Downtown Development Framework, as maintained online or in the office of the City Clerk, designates streets within the BC District as Storefront Pedestrian Zone, High-Intensity Pedestrian Zone, or Boulevard Pedestrian Zone.

**(d) Pedestrian Zone Design**

<b>(e) Table 7150.3 Pedestrian Zone Design Guidelines</b>			
	<b>Storefront Pedestrian Zone</b>	<b>High-Intensity Pedestrian Zone</b>	<b>Boulevard Pedestrian Zone</b>
<b>Suggested Minimum Width*</b>	10 feet		
<b>Preferred Width</b>	15+ feet		
<b>Storefront Zone</b>	Yes	Optional	Yes
<b>Sidewalk Zone</b>	8 feet minimum, 5 feet if combined with a Storefront Zone		
<b>Streetscape Zone</b>	5 feet, hardscaped		5 feet
<b>Clear Zone</b>	6 feet		

\* Variations in the minimum dimensions defined above may be necessary to address physical constraints present at individual sites.

**(f) Landscaping and Street Furniture**

Landscaping and street furniture are typically considered to include elements such as, but not limited to, planting strips, raised planters, decorative planter boxes, potted plants, light standards, signage, transit stops, public art, bike racks, security bollards, seating for outdoor dining, benches, trash receptacles, and street trees. The placement and design of such elements should observe the following guidelines:

1. Landscaping and street furniture elements should only be located within the Streetscape Zone or the Storefront Zone.
2. All groundcover landscaping used in the Streetscape Zone may be planted up to the back of the curb.
3. Trees should be placed a minimum of 18 inches from the back of the curb.
4. None of these materials shall be placed within the sight-distance triangle as specified in Section 59-12300.
5. Landscape plantings and pedestrian amenities should not obstruct any sidewalk or pedestrian access.
6. Street tree species are a component of Bricktown Urban Design Review and all tree species should be selected to:
  - a. Be adaptable to the conditions of a dense urban environment;
  - b. Be consistent with the species, spacing, and size recommendations set forth in the Street Tree palette in “Trees and Plants for Oklahoma City”, and any amendments thereto, maintained online or in the Office of the City Clerk; and
  - c. Trees in wells or raised planters should be planted in a minimum volume of soil or structural soil of five feet by five feet by three and one-half feet deep. All tree wells should be covered by tree grates (with a minimum size of diameter of five feet by five feet), or topped with brick or stone, or maintained with landscape treatments.
7. Where parking is provided along the abutting curb, trees and plant materials should be spaced so that they do not impede passengers from exiting parked vehicles.

**(4) Existing Buildings and Historic Resources**

In addition to other Design Guidelines of this Section, the following guidelines should apply to the renovation of existing buildings and Historic Resources:

- (a) Historic site elements such as walkways, plazas, pedestrian amenities, and hardscape features should be retained and rehabilitated.
  - (b) Existing character-defining architectural elements, such as flat roofs, the order and placement of doors and windows, and crafted architectural details (e.g. cornices, pilasters, columns, awnings, lighting fixtures, canopies, etc.) should be retained, refurbished, and remain in the original locations. If replacement is necessary, replacement should match the appearance of the element(s) being replaced.
  - (c) Existing brick surfaces should not be covered with other materials.
  - (d) **Closed Window/Door Openings**
    - 1. Existing window, door, and freight bay door openings should not be infilled. Retention of the existing form, quantity, and volume of glazed areas is critical to maintaining architectural character and authenticity in the District.
    - 2. Original window, door, and freight bay door openings that have been infilled with wood, brick, or other materials, should be reestablished during renovations. The reestablished openings do not necessarily need to be functional openings but should resemble or closely emulate the character of the original features.
  - (e) **Architectural Detailing**

New architectural details should be appropriate to a building's historical design theme and the surrounding context. Building restorations or renovations should utilize details that respect the original architecture, such as decorative cornices, window moldings and surrounds, dentils, and corbelling, based upon the existing building composition or historical documentation such as photos or drawings.
  - (f) **Materials Used in Additions and Renovations**

Where existing structures are expanded or otherwise modified on the exterior, the materials used to construct exterior walls should coordinate with and complement the materials used in the existing structure.
- (5) **Parking and Vehicular Access**
- (a) **Access Drives**

1. Vehicular access to parking lots should be kept to a minimum in both number and in width to preserve on-street parking, and to promote pedestrian safety and activity. Whenever feasible, existing alleyways should be utilized to provide vehicular access to parking lots and parking garages.
2. The provision of new on-street parking and preservation of existing on-street parking should be a priority in the design and location of new access drives on streets where on-street parking is provided.
3. Curb cuts should not be allowed on primary streets when secondary access from a side street or an alley is sufficient to provide vehicular access. All developments are encouraged to eliminate existing curb cuts on primary streets.

**(b) Parking Garages**

Parking Garages (Use Unit 8300.12 - Automotive: Parking Garages) should comply with the following guidelines:

1. The ground floors of parking garages that face street and canal levels are strongly encouraged to incorporate active uses such as retail shops, cultural uses, or restaurants.
2. Wherever possible, vehicular drive access points should be designed to provide such access from adjacent alleys instead of from streets.
3. The location(s) and number of vehicular drive access points should be carefully selected to minimize the disruption to pedestrian flow and activity.
4. The size (width) of vehicular drive access points should be limited to the minimum necessary to provide for adequate traffic flow in and out of the facility while minimizing the disruption to pedestrian flow and activity.
5. Internal ramping and the sloped interior floors of parking garages should not be visible from any vantage point along any street or canal frontage.
6. Stairwells should be located at the exterior corners of parking garages and constructed so that at least one wall of the stairwell would be visually open to the outdoors.

7. Pedestrian and vehicular access points for parking garages should be clearly marked through the use of materials, architectural features, lighting, signage, etc. to ensure visibility and promote pedestrian safety.
8. Where appropriate given the design of existing or proposed adjacent structures, parking garages should be designed with materials, openings and proportions that will result in an aesthetic and architectural integration between the parking garage and the adjoining structures.

**(6) Fences**

Fences should be constructed of materials that are the same, similar to, or aesthetically complement, the materials used to construct any adjacent building(s).

**(7) Trash Rooms**

- (a) In the development of new structures, trash rooms should be integrated into the project design and recessed into the building floor plan so that freestanding trash enclosures will not be necessary.
- (b) In the renovation of existing structures, the inclusion of recessed trash rooms is strongly encouraged.
- (c) Doors providing access to the trash rooms should be oriented to the adjacent alley whenever a site has alley access. Where no alley access is available, access doors to trash rooms shall be oriented toward streets other than Reno, Sheridan or Main.

**(8) Signs**

All proposed signs should be designed, positioned, and attached or installed in a manner consistent with the “Sign Design Guidelines for Bricktown” maintained online or in the office of the City Clerk.

**(9) Demolition**

**(a) Purpose and Intent**

Buildings and structures form the framework of special districts. The placement height, and materials of buildings and structures, as well as their history, form the character of a district; therefore, it is appropriate to evaluate the impact of the proposed demolition of a structure on the district as a whole. In some cases, demolition or removal of an existing structure may have an adverse affect on the

quality and character of the district. However, in other cases, demolition or removal of an existing structure may be appropriate to provide for the continued growth and vitality of the district, and may facilitate economic development or otherwise improve a district's appearance or viability.

**(b) Guidelines for Demolition**

In considering a Certificate of Approval for the demolition or removal of a structure, the Bricktown Urban Design Committee (or staff, if applicable) may consider any of the following factors:

**1. Design, Form, or Urban Character**

**i.** Staff shall make a recommendation (or determination, if applicable) regarding whether removal of the structure will have an adverse impact on the design, form, or urban character of the district. For purposes of this section, the terms design, form, and urban character shall mean:

**a.** Design refers to the use of architectural components, building materials, or other distinct elements of structures that create a cohesive theme and standard of quality within the urban environment.

**b.** Form refers to the physical layout and design of the built environment, taking into consideration building height, density and floor-area ratio, mass and scale, and the configuration and relationships formed between adjacent buildings, streets, pedestrian areas, and open spaces.

**c.** Urban character refers to the general atmosphere and experience created by an environment exhibiting heavy concentrations of entertainment, civic, residential, office, commercial, and cultural uses. Urban character may be physically expressed through:

- i. Buildings defining corners and blocks and forming a sense of enclosure through a continuous street wall;
- ii. Landscaping within public rights-of-way, defining public spaces, and the pedestrian realm; and
- iii. A well-connected, accessible network of sidewalks, streets, and public spaces.

## 2. Significance

- i. Staff shall make a recommendation (or determination, if applicable) regarding whether the structure is a Historic Resource or Architectural Resource, using information that may include, but not be limited to, the following:
  - a. Research, investigations, and historical or architectural surveys;
  - b. Archival information from newspapers and libraries, which may include photographs, a review of Sanborn Fire Insurance Maps, and historic city directories such as Polk or Criss-Cross; or
  - c. Documentation verifying that the structure is listed in the National Register of Historic Places or has an official Determination of Eligibility from the National Park Service for the National Register.
- ii. **Burden of Proof.** In support of the application, the applicant may (but is not required to) submit information as described in this Section regarding whether the structure is a Historic Resource or Architectural Resource.

## 3. Structural Integrity

- i. The structure, which has not otherwise been declared a public nuisance by the City Council, poses an imminent threat to public



health or safety and the demolition of said structure is required to alleviate said threat.

**ii. Burden of Proof.** In support of the application, the applicant may (but is not required to) submit:

**a.** A signed, stamped analysis from a licensed professional engineer describing any structural deficiencies in the building or structure proposed for demolition.

**b.** The scope of work that would be necessary to repair or remedy such deficiencies.

**4. Economic Feasibility**

**i.** There is no viable economic use of the structure. For purpose of this paragraph, the term “no viable economic use” shall mean:

**a.** The existing structure is incapable of earning a reasonable economic return.

**b.** The structure cannot reasonably be adapted or rehabilitated for any other use which would result in a reasonable economic return.

**c.** The owner or developer, using due diligence, has been unable to find a financier, purchaser or tenant that would enable the owner or developer to realize a reasonable economic return.

**ii. Standard.** For purposes of evaluating a reasonable economic return, the applicable standard is what an owner or developer, in its good faith judgment, would consider to be a reasonable economic return for such a structure, as determined in a manner that is consistent with commonly accepted practices and expectations of persons who buy, sell, develop or invest in similar types of property in the community.

**iii. Burden of Proof.** In support of the application, the applicant may (but is not required to) submit: a cost analysis and supporting documents, including the cost of demolition and financial information regarding stabilization, repair, rehabilitation, and/or re-use of the building or structure, which may include appraisals, profit and loss statements, itemized expenses, listings of the property for sale, current fair market value, records depicting the current conditions of the property and other relevant documentation.

**iv. Economic Review Board**

**a.** If the applicant requests issuance of a Certificate of Approval for demolition based upon “no viable economic use” of the property, the Bricktown Urban Design Committee (or staff, if applicable) shall either (i) approve the application, or (ii) immediately refer the application to the Economic Review Board, which shall consist of three independent experts appointed by the City Manager. Economic Review Board members shall be knowledgeable in the economics of real estate, renovation and redevelopment. “Independent” as used in this Paragraph means that the expert has no financial interest in the property, its renovation or redevelopment; is not an employee of the property owner, is not a City employee, is not a member of the Bricktown Urban Design Committee, and is not compensated for serving on the Economic Review Board.

**b.** The Economic Review Board shall have 60 days to hold a public hearing, review the submitted documentation (which may include appraisals, profit and loss statements, itemized expenses,

listings of the property for sale, current fair market value, records depicting the current condition of the property and other relevant documentation, including the cost of demolition and financial information regarding stabilization, repair, rehabilitation, and/or re-use of the building or structure), consider all options for renovation, adaptive reuse and redevelopment, and forward a non-binding recommendation to the Bricktown Urban Design Committee.

- c. After the Economic Review Board has made a written recommendation, the application shall be deemed complete and the Bricktown Urban Design Committee shall hold a public hearing within 65 days of receiving said recommendation for the purpose of considering the Certificate of Approval for demolition or removal. The Bricktown Urban Design Committee shall either approve or deny the application unless the applicant agrees to a continuance.

**5. Demolition with Accompanying Proposal for Replacement**

- i. If demolition of an existing structure is requested and a new development is being proposed to replace the existing structure, the applicant is encouraged to submit information demonstrating that the proposed new development's contribution to the design, form, and urban character of the district would outweigh that of the building or structure proposed for demolition. Such information may include (but not be limited to) the following:
  - a. Information showing that the new development would conform with adopted plans, such as the City's

comprehensive plan and special use plans. If such information is submitted, staff may review applicable plans and make a recommendation concerning the level of conformance that the proposed development demonstrates.

- b. Information showing that the height, massing, architecture, and placement of the new development would complement the urban form and character of the district.
- c. Information showing that the overall contribution of the new development would outweigh the loss of any building or structure that is determined to be a Historic Resource or an Architectural Resource.

**6. Burden of Proof.** The applicant has the burden of proof to establish, by a preponderance of evidence, the necessary facts to warrant demolition.

(Ord. No. 24009, § 5, 2-2-10; Ord. No. 24094, § 1, 7-6-10; Ord. No. 24128, § 3, 8-31-10; Ord. No. 24291, § 3, 6-21-11; Ord. No. 24574, § 2, 12-4-12; Ord. No. 25264, § 11-28-15)

\* \* \*

**ARTICLE VIII. - USE UNIT CLASSIFICATIONS**

\* \* \*

§ 59-8500. - Temporary uses.

\* \* \*

**8500.2. Permitted Temporary Uses.**

\* \* \*

**B. Temporary Construction Sites.**

- (1) **Temporary Buildings, On-Site.** In all districts, temporary buildings for uses incidental to construction work shall be permitted provided they shall be removed upon the completion or abandonment of the construction work.
- (2) **Temporary Construction Staging Areas, Off-Site.** In the BC, DBD, DTD-1, DTD-2, and SRODD Districts, off-site staging areas may be allowed on a temporary basis in order to facilitate construction projects. Temporary Construction Staging Areas, Off-Site shall:
  - (a) Accommodate only temporary storage of equipment and materials during the period of construction;
  - (b) Provide screening of materials and equipment from street frontages;
  - (c) Be allowed to provide screening by installation of manufacturer coated chain-link fencing with mesh screening along street frontages;
  - (d) Be allowed to install gravel surface where the existing surface is not paved to City's standards, as long as appropriate materials to prevent gravel from infiltrating the soil and erosion controls in accordance with Chapter 16 and Chapter 48 are installed; and
  - (e) Be returned to original or better condition, including removal of fencing materials and gravel, within two weeks of completion of construction or abandonment of the construction work.

\* \* \*

(Ord. No. 24128, § 4, 8-31-10; Ord. No. 24609, § 5, 2-19-13; Ord. No. 24726, § 5, 8-13-13)

**ARTICLE IX. - USE STANDARDS**

\* \* \*

§ 59-9350. - Standards for specific uses.

\* \* \*

**9350.13. Automotive and Equipment: Cleaning and Repairs, Light Equipment (59-8300.14).**

\* \* \*

- C. When located in the BC District, this use is not permitted within the following area: 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 BC District, this use shall not be visible from the street except for entrances and/or exits.

\* \* \*

**9350.37. Lodging: Accommodations: Bed and Breakfast (59-8300.49).**

\* \* \*

- E. All required guest parking shall be provided on-site. In the BC District, any guest parking provided may be permitted off-site.

\* \* \*

**9350.46. Murals (59-8250.16).**

- A. Murals shall be considered a conditional use in all zoning districts, except the HP District.
- B. Murals, which are to be located in a special zoning district, or proposed to be affixed to public structures, shall be approved by the appropriate board and/or commission.
- C. Murals shall be submitted to the Arts Commission for review and comment. Those murals that require approval from a special board and/or commission shall obtain said approval following submittal of said mural to the Arts Commission.
- D. Murals that extend beyond or project above the vertical or horizontal line of any wall onto which the mural is painted or affixed shall be appropriately attached so as to not create a safety hazard to the public.
- E. Murals shall not create a public safety issue, such as a distraction to drivers.

- F. Applications for a mural permit shall be submitted to the Department on an approved application form accompanied by the following information:
- (1) Site plan showing the lot and building dimensions, and indicating the proposed location of the mural.
  - (2) Scale drawing and color photo of the building showing proposed size and placement of the mural.
  - (3) Colored drawings of the proposed mural.
  - (4) Proposed maintenance schedule.
  - (5) An affidavit signed by the property owner giving permission to place the mural on the building.
  - (6) A statement by the applicant indicating said applicant waives any VARA rights.
- G. Applicants for a mural permit shall not be required to be a licensed sign contractor.
- H. Such application shall be accompanied by the fee established in Chapter 60 of the Oklahoma City Municipal Code, 2010, as amended. Such fee shall be used to defray the expense of processing the mural application and shall be nonrefundable, regardless of the action taken on the application.

**ARTICLE XII. - SITE DEVELOPMENT STANDARDS**

\* \* \*

§ 59-12200. - Standards for accessory buildings, structures and uses.

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



**TABLE 12200.1: PERMITTED ACCESSORY STRUCTURES AND USES**

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

**TABLE 12200.1: PERMITTED ACCESSORY STRUCTURES AND USES**

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

**TABLE 12200.1: PERMITTED ACCESSORY STRUCTURES AND USES**

DISTRICT	PERMITTED ACCESSORY STRUCTURES AND USES						
	General Accessory Buildings (Subject to Section 59-12200.2 )	Fence (Subject to Section 59-12200.3B)	Accessory Signs (Subject to Municipal Code, Chapter 3 and Section 59-12200.3E and 59-12200.4C)	Home Occupation (Subject to Section 59-12200.3C)	Carport (Subject to Section 59-12200.3A)	Swimming Pools (Subject to City Code, Chapter 12)	Satellite Dishes (Subject to Section 59-12200.3D)
I-3 <sup>2</sup>	X	X	X			X	

**TABLE 12200.1: PERMITTED ACCESSORY STRUCTURES AND USES**

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

TABLE 12200.1: PERMITTED ACCESSORY STRUCTURES AND USES							
DISTRICT	PERMITTED ACCESSORY STRUCTURES AND USES						
	General Accessory Buildings (Subject to Section 59-12200.2 )	Fence (Subject to Section 59-12200.3B)	Accessory Signs (Subject to Municipal Code, Chapter 3 and Section 59-12200.3E and 59-12200.4C)	Home Occupation (Subject to Section 59-12200.3C)	Carport (Subject to Section 59-12200.3A)	Swimming Pools (Subject to City Code, Chapter 12)	Satellite Dishes (Subject to Section 59-12200.3D)
SYD	X	X	X			X	
SYT			X			X	

FOOTNOTES: TABLE 12200.1

<sup>1</sup> For permitted residential.

<sup>2</sup> See Section 59-12200.4 for additional standards.

\* \* \*

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### **12200.3 Standards for Accessory Structures and Uses**

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

\*\*\*

#### **L. Fences**

Fences shall be permitted subject to the permit requirements of the Oklahoma City Municipal Code.

\*\*\*

#### **(4) BC District Standards**

Subject to the provisions of §59-7150.1.E.(8) (Bricktown Core Development District) of this chapter.

\*\*\*

#### **M. Home Occupations**

Home occupations shall be permitted, subject to the following conditions:

- (1) It shall be the home occupation or professional office of a person who lives in the main building.
- (2) No person shall be employed who is not a member of the immediate family living on the premises.
- (3) No signs for home occupations are allowed.
- (4) The home shall not be altered to attract business.
- (5) No additional curb cuts shall be permitted, and no front yard area, other than the driveway providing access to a garage, shall be paved or otherwise altered or used for parking of vehicles.
- (6) No business shall be conducted upon the premises where chattel, goods, wares or merchandise are created, stored, exchanged or sold, such as a shop or store.

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

\*\*\*

#### **12200.4. Additional District Standards for Accessory Uses.**

\* \* \*

- C. Regulations for O-1, O-2, C-1, C-2, C-3, C-4, C-CBD, DBD, DTD-1, DTD-2, C-HC, BC, UD, SYD, and SYT Districts.
  - (1) Accessory equipment appurtenant to the principal building including, but not limited to, air conditioning/refrigeration equipment, well houses, guard houses and other similar elements, may be located in required rear or side yard setback areas.
  - (2) Where residential uses are permitted, the accessory use regulations of this § 59-12200 shall apply to all residences.
  - (3) Accessory signs shall be permitted subject to sign regulations. Accessory signs in the DBD District shall be subject to the C-CBD Sign Regulations contained in

Chapter 3 of the City Code unless modified within the Regulations and Criteria of the Design District. Accessory signs in the DTD-1 and DTD-2 Districts shall be subject to O-2 Sign Regulations contained in Chapter 3 of the City Code unless modified within the Regulations and Criteria of the Design Review District.

- (4) Front, side, and rear yard fences shall be permitted in accordance with the regulations in this Article or the sight-proof screening provisions in Article XI, Landscaping and Screening Regulations.

\* \* \*

- (b) Exposed electronically charged fences shall be prohibited.

\* \* \*

### **ARTICLE XIII. ZONING OVERLAY DISTRICTS**

\*\*\*

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

##### **A. General Description**

This overlay district allows for the serving of all types of beer and alcohol in a club setting where the sale of food is an accessory activity. The overlay district provides for uses in such a way that compatibility with adjacent uses is enhanced.

##### **B. Underlying Districts over which ABC-3 May Be Requested**

The following zoning districts may be overlain by the ABC-3 Overlay District:

- (1) The O-2 District, subsequent to the approval of the conditional use permit for an eating establishment.
- (2) The following commercial zoning districts: BC, C-2, C-3, C-4, C-CBD, DBD, DTD-1, DTD-2, C-HC, and SYD districts.
- (3) All industrial zoning districts.
- (4) Any portion of a PUD specifically allowing for a restaurant use.

##### **C. Use Regulations**

In addition to the uses allowed by the underlying zoning district, Drinking Establishments: Sitdown, Alcohol Permitted (59-8300.33) shall be permitted in the ABC-3 Overlay District.

##### **D. Development Regulations**

- (1) **General Provisions**

The provisions of Section 13200.2 (General Provisions) shall apply to the ABC-3 Overlay District.

**(2) Hours of Operation**

The sale and consumption of alcohol is permitted at establishments in this district in accordance with the hours specified by the Oklahoma Statutes.

**(3) Location Requirements**

**(a)** No ABC-3 use shall be allowed to locate within 300 feet of any church property primarily and regularly used for worship services and religious activities, licenses day care center, or any public or private school of the type which offers a compulsory education curriculum; however, a college or university located within an improvement district created pursuant to Section 39-103.1 of Title 11 of the Oklahoma Statutes may waive the 300-foot requirement pursuant to 37 O.S. 2011, Section 163.27 and/or Section 518.3. Nor shall any ABC-3 use be allowed to locate within 300 feet of a residential zoning district.

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

**E. Notification Requirements**

Applications for rezoning to the ABC-3 District shall be accompanied by a list of all owners of property within 600 feet of the legally subdivided property upon which the rezoning site is situated. In addition, the 600-foot radius shall be extended by increments of 100 lineal feet until the list contains a minimum of ten individual property owners of ten separate parcels.

\*\*\*



**APPENDIX A: - DISTRICT BOUNDARIES**

The official Zoning Districts Map shall supersede if a discrepancy exists between the Zoning Map and the written descriptions below.

1. - Bricktown Core District.

The general boundary of the Bricktown Core District is as follows: An area bordered generally by the BNSF Railroad; Reno Avenue; Centennial Expressway; and the railroad right-of-way between Main and NE 1st.

\* \* \*

(Ord. No. 23755, § 10, 12-2-08)

ARTICLE V. - SIGN REGULATIONS[5]

\* \* \*

§ 3-83. - General regulations for all signs.

(a) *General prohibitions.*

- (1) unless specifically permitted in another section of this article, no sign shall be erected on or over the street right-of-way. Merchandise, such as tires, produce, automotive vehicles, and any other articles for display or sale, shall not be located in any manner in the public right-of-way.
- (2) where a parcel is occupied by a use or structure which does not conform to the use regulations of the zoning district in which said parcel is located, no sign shall be erected on said parcel until the use is changed to become conforming.
- (3) the use of any boulevard, street, parkway, park road, or park under the control of the City for any political, social, civic, or charitable nonaccessory advertising purpose within full view of those traveling on a public road is prohibited; provided that the governmental use of these areas to display public information and banners or decorations, as authorized by Section 3-180 et seq., and the placement of identification signs as authorized by Section 3-100(9) shall not be included in this restriction.
- (4) the painting, scattering, posting, or spreading in any manner along any public right-of-way or public property of any signs, bills, wastepaper, paper, cloth, or other materials used in advertising is prohibited. This prohibition shall include the posting of such materials on any utility pole or device.
- (5) no person shall permit the manufacturing, installing, erecting, or displaying of any obscene, indecent, or immoral matter.
- (6) A-frame, sandwich signs, springer, and swinger signs are prohibited except as specifically allowed in the Bricktown Core (BC), Downtown Business District (DBD), Stockyards City Development District (SYD) and Urban Design (UD) districts and shall be subject to the regulations and guidelines of the respective design districts. These signs do not require a Certificate of Approval.
- (7) the erection, construction or maintenance of any sign which will obstruct any fire escape, stairway, or standpipe or which will be attached to or supported by a fire escape or stairway, or which will interfere with human exit through any emergency opening, or which will obstruct the exterior door or required exit of any building, or which will obstruct any legally required light or ventilation is prohibited.
- (8) no sign shall occupy a parking space required under the minimum standards of Chapter 59 of this Code.

- (9) unless specifically permitted in another section of this article, no flags, banners, pennants or similar type sign, (other than those securely mounted in a frame and approved as accessory signs) shall be permitted.
- (10) all EMD signs shall be set back a minimum of 50 feet from any adjacent residentially zoned property. Larger setbacks may be required based on the specific zoning.
- (11) all controls for the EMD signs including illumination and operational requirements shall be programmed so that any malfunction shall cause the sign to default to a static operation mode.
- (12) EMD signs shall require a Certificate of Approval or Appropriateness from the respective design review authority and are subject to any specific EMD sign regulations and guidelines in the following zoning districts: BC, DBD, DTD-1, DTD-2, HP, HL, SYD, SYT, SRODD, and UD.
  - a. EMD signs shall be prohibited within the following zoning districts:
    1. DTD-1, within the area known as the "Cottage District" as defined in Chapter 59-7200.3.B.(1)(a); and
    2. SRODD, within 100 feet of the river; except signage affixed to river crossings in the Regatta District.
  - b. Any EMD sign currently permitted in said zoning districts is considered a nonconforming use and may continue to operate, provided said sign is otherwise in compliance with this ordinance.
- (13) all portions of signs, including the display surface, shall be kept in good repair at all times so that the entire sign is clearly legible and free of damage, deterioration and/or defacement. Prior to the issuance of a citation for a violation of this subsection, the City Manager or his designee shall first give 30 days' written notice of the alleged violation to any person or persons who may be cited for the violation. The written notice shall notify such person(s) of the apparent violation of this subsection and shall state that a citation may be issued to such person(s) if the alleged violation is not abated within 30 days from the date shown on the written notice. Written notice may be given by personal service on the person(s) being notified by the inspector handing a copy of said written notice to such person(s), then recording in the file of the case that such service has been made. When written notice is given by mail, it shall be mailed to the owner of the property at the address shown by the current year's tax rolls in the County Treasurer's Office. A receipt of mailing from the postal service which indicates the date of mailing and the name and address of the mailee shall be considered proof of service by mailing. No person may be cited for a violation of this subsection unless prior written notice of an alleged violation has been given in the manner indicated in this subsection.
- (14) all signs or portions thereof that are not maintained in good repair, are no longer used for advertising purposes or are no longer clearly legible, and accessory signs

that no longer advertise the business conducted on the premises, shall be brought into compliance with this section or removed. Prior to the issuance of a citation for a violation of this subsection, the City Manager or his designee shall first serve 30 days prior written notice of the violation upon any person or persons who were cited for the violation. The written notice shall notify such person(s) of the apparent violation of this subsection and state that the violation must be abated within 30 days or else a citation for the violation may be issued to such person(s) by the City. Service of the written notice may be effected by either personal service on the person(s) being notified or by certified mail, return receipt requested, sent to the last known address of the person(s) being notified. No person who is not served with prior written notice as provided by this subsection may be cited for a violation of this subsection.

- (15) Temporary Signs - Large Display Banners and Supergraphics (Wall Scapes/Building Wraps) are prohibited except in the Bricktown Core (BC) and Downtown Business District (DBD), and shall be subject to the regulations and guidelines of the respective design districts.

\* \* \*

(Ord. No. 17349, § 1(3-36), 9-27-83; Code 1980, § 3-83; Ord. No. 19076, § 1, 9-27-88; Ord. No. 21794, § 1, 8-28-01; Ord. No. 23721, § 1, 10-4-08; Ord. No. 23734, § 1, 11-18-08; Ord. No. 24006, § 4, 1-19-10; Ord. No. 24008, § 1, 2-2-10; Ord. No. 24127, § 2, 8-31-10; Ord. No. 24173, § 1, 11-2-10)

State Law reference— Signs resembling traffic signs, 47 O.S. § 11-206.

§§ 3-84—3-98. - Reserved.

DIVISION 2. - ACCESSORY SIGN STANDARDS AND REGULATIONS

\* \* \*

§ 3-100. - Temporary signs and display materials not requiring a permit.

\* \* \*

- (10) A-frame, sandwich and springer signs as specifically allowed in Design Review Districts.
- a. The display area of each side shall not exceed eight square feet;
  - b. The height shall not extend more than four feet eight inches for above grade;
  - c. A minimum of eight feet of right-of-way shall exist from back of curb to building face when located in the right-of-way;
  - d. A five-foot minimum unobstructed walkway shall be maintained at all times within the Sidewalk Zone;
  - e. Signs within the DBD shall be located within the Streetscape Zone;
  - f. Signs shall be weighted to ensure that they are not readily displaced;
  - g. Signs shall be in place only during any period between dawn and dusk;
  - h. Sign frames shall be constructed of hard plastic or metal;
  - i. Sign faces shall be chalk board or printed material;
  - j. Quantity of signs shall be limited to one sign per street level tenant at building frontage;
  - k. Signs shall only be located over paved surfaces;

\* \* \*

(Ord. No. 17349, § 1(3-38), 9-27-83; Code 1980, § 3-100; Ord. No. 19752, § 1, 5-12-92; Ord. No. 19852, § 2, 11-10-92; Ord. No. 19990, § 2, 6-15-93; Ord. No. 23721, § 2, 10-4-08; Ord. No. 24127, § 3, 8-31-10)

\* \* \*

§ 3-102. - Accessory signs regulated by zoning districts.

\* \* \*

- (c) *Standards for commercial and industrial zoning districts (other than O-1, O-2, BC and C-1).* These standards shall apply to respective Design Districts unless modified within

the regulations and guidelines of the specific design districts. Where there is any conflict between these regulations and the regulations in a given Design District, the regulations in the Design District shall prevail.

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(d) *Standards for BC Zoning District.*

(1) *Prohibited signs*

a. *Freestanding signs.*

1. *Exceptions*

- i. **Local Directional Signs.** For purposes of this section, a Local Directional Sign shall mean a freestanding or attached, non-EMD, kiosk or wall sign that provides a map or other directional device to guide people to local events, attractions, or businesses within the immediate area surrounding the sign. Such signs shall be consistent with the Bricktown Directional Signage Plan, and are not intended to provide direction or orientation to a single user, business, or attraction but rather to provide an overall frame of reference for visitors within the BC District.
- ii. **Off-Site Directional Signs for Public or Private Parking Lots.** For purposes of this section, Off-Site Directional Sign for Public or Private Parking Lots shall mean a freestanding sign that is not located on the site of a public or private parking lot that directs the motoring public to a parking lot located within the BC District. Such signs identifying parking lots in Bricktown shall only be located within the BC District.

b. *Roof signs.*

1. **Exceptions –** The following signs are allowed provided that the applicant can demonstrate through photographic evidence that a Frame Sign or Water Tower Sign existed on the subject building at some point in the site’s history:
  - i. **Frame Signs,** which for the purpose of this section shall mean, an accessory sign placed on the roof of a building that is characterized by an exposed metal framework structure to support a neon sign.
  - ii. **Water Tower Signs,** which for the purpose of this section shall mean, an accessory sign placed on the

face of a reproduction water tower that is situated on the roof of a building.

c. *Non-accessory signs.*

1. Exception

- i. Local Directional Signs or Off-Site Directional Signs for Public or Private Parking Lots as defined above.

(2) *Signs for permitted residential uses.* Signs for permitted multi-family residential uses shall be subject to the standards for residential districts in Section 3-102(a)(1)a., b. and c. of this Code.

(3) *Number*

- a. One attached sign per elevation shall be allowed for each tenant/occupant having street frontage, provided that the total display surface area of all such signs combined shall not exceed the maximum area permitted. Double-sided projecting signs shall be considered one sign. One additional sign per elevation may be allowed to identify the name of the building.
- b. One identification nameplate for each business or professional occupancy of a building without direct exterior access. The maximum size of the nameplate shall be four square feet with no flashing or intermittent illumination allowed.
- c. One Frame Sign per building may be allowed.
- d. Two Water Tower Signs per building may be allowed (both must be on the same water tower).
- e. Two Local Directional Signs per block.
- f. Two Off-Site Directional Signs for Private or Public Parking Lots.
- g. EMD Signs – Limits on the number of EMD signs are found in Section (6), below.

(4) *Maximum Display Surface Area*

a. *Attached Signs*

1. The maximum display surface area shall be no more than 15 percent of the area of the wall of the building to which the sign is attached, with a maximum area not to exceed 250 square feet.
2. Existing “ghost” signs, which were painted on the sides of buildings and advertise the name of the building or early occupant or product, may be restored or replaced within

the limits of the existing sign without a permit and shall not be included in the calculation of the maximum display surface area for that wall of the building. Such signs may be restored or replaced without being required to match the text of the original sign.

3. Attached window signs (including signs attached, painted on, or installed directly behind or in front of the glass), shall occupy no more than 25 percent of the available glazing along the street frontage at street level. Window signs are not permitted in windows above the street level.

b. *Frame Signs*

200 square feet maximum

c. *Water Tower Signs*

100 square feet maximum

d. *Local Directional Signs*

16 square feet maximum

e. *Off-Site Directional Signs for Private or Public Parking Lots*

20 square feet maximum

f. *EMD Signs*

1. EMD Signs for Use Unit Classifications 8300.67, Spectator Sports and Entertainment: General, 8300.68, Spectator Sports and Entertainment: High Impact, and 8300.69, Spectator Sports and Entertainment: Restricted:
  - i. Level 1 EMD Signs: eight square feet maximum
  - ii. Level 2 and Level 3 EMD Signs: 15 percent of the area of the wall that the sign is mounted on, with a maximum area of 250 square feet.
2. EMD Signs for Use Unit Classifications 8300.12, Automotive: Parking Garages and 8300.13, Automotive: Parking Lots as a Principal Use: 16 square feet maximum

(5) **Maximum Height**

a. *Local Directional Signs*

8 feet

b. *Off-Site Directional Signs for Public or Private Parking Lots*



10 feet

(6) EMD Signs

- a. *Limited Use.* The use of EMD signs shall be limited as follows:
1. EMD signage shall be used only to display messages that are accessory to the use(s) on the same site as the EMD sign.
  2. EMD signs shall be limited to only the following Use Unit Classifications:
    - i. 8300.12, Automotive: Parking Garages;
    - ii. 8300.13, Automotive: Parking Lots, as a Principal Use;
    - iii. 8300.67, Spectator Sports and Entertainment: General;
    - iv. 8300.68, Spectator Sports and Entertainment: High Impact; and
    - v. 8300.69, Spectator Sports and Entertainment: Restricted.
  3. EMD signs for Use Unit Classifications 8300.12 and 8300.13 may only be used to indicate the hourly or flat parking rate, whether lot is full, or the number of parking stalls available.
- b. *Separation*
1. There shall be a minimum separation of 100 feet between any Level 2 or Level 3 EMD signs and any residential use, except that no minimum separation is required for the following Use Unit Classifications:
    - (i) 8200.2, Dwelling Units and Mixed Use; and
    - (ii) 8200.4, Live/Work Units.
  2. EMD signs over 50 square feet shall observe the following standards for separation:
    - i. Minimum of 50 feet from any signalized intersection.
    - ii. Minimum of 300 feet from any HL zoning district.
    - iii. Minimum of 25 feet from the street/curb edge.
- c. *Number.* No more than two EMD signs (Level 1, Level 2, or Level 3) shall be allowed per street frontage.

(7) *Projection Image Signs*

- a. Signs shall be limited to one week in duration per location per 30-day period.
  - b. Signs shall not be projected within 200 feet of, or onto, a residential use (excluding Use Classifications 59-8200.2, Dwelling Units and Mixed Use and 59-8200.4, Live/Work Units) unless the location and orientation of the projection ensures that light from the images will not infringe on the residential use.
  - c. Signs shall not be projected onto the surface of the public street.
- (8) *Temporary Signs - Large Display Banners and Supergraphics (Wall Scapes/Building Wraps)*
- a. Signs shall be permitted to remain in place for a period not to exceed 60 days with a limit of four occurrences per location per year.
  - b. Sign area shall not exceed 80 percent of a building face and 50 percent of the total exterior of the building.
  - c. Signs shall be constructed of a durable material in a matte finish, equivalent to or better than a billboard-grade vinyl mesh material.
  - d. Signs shall be properly secured to the wall.
  - e. Signs shall not damage the structure while in place or during installation and removal.
  - f. Signs shall not cover or attach to significant architectural features of historical significance.
  - g. Signs shall maintain a minimum clearance of 14 feet from grade.
- (9) Whenever a sign is changed, other than for ordinary maintenance and repair, or to restore its original colors, it shall be considered a new sign and shall be subject to the sign permit requirements and applicable design review process.

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**§ 3-119. Standards for billboards and similar nonaccessory type signs**

The regulations of this section shall not be applied to billboards when constructed on premises as accessory signs according to the accessory sign regulations of this chapter. In such cases location, size, number, and all other relevant development standards for accessory signs shall be applied.

(1) *General standards.* Nonaccessory signs shall be permitted as follows:

- a. as uses permitted by right in the C-4, C-CBD, I-2, and I-3 Districts;

b. as conditional uses in the C-3, C-HC, DBD, and I-1 Districts.

(2) *Sign size.*

- a. the display surface area for nonaccessory signs displayed to be read from a divided, limited access roadway with four or more traffic lanes, shall not exceed 672 square feet per sign face, except for a 20 percent allowance for extensions and cutouts; provided, this subsection shall not apply to a nonaccessory sign located in the C-3 District.
- b. the display surface area of all other nonaccessory signs shall not exceed 300 square feet per sign face.
- c. the maximum width of a sign shall be 60 feet.

(3) *Height.*

- a. the maximum height of the highest point of the structure for nonaccessory signs displayed to be read from a divided, limited access roadway with four or more traffic lanes shall be 50 feet above grade; provided, however, that where the sign is adjacent to an elevated roadway, then the maximum height shall be 30 feet above the road grade.
- b. the maximum height of the highest point of the structure for all other nonaccessory signs shall be 35 feet above grade.
- c. the minimum clearance between ground level and the lowest point of display surface, exclusive of supports, shall be not less than six feet.

(4) *Location.*

- a. the location shall comply with all established building lines and required setbacks as outlined in this chapter and all other ordinances of the City.
- b. where there is no building setback line established by ordinance or subdivision plat, such signs shall be set back from the front lot line not less than 25 feet.
- c. where a railroad right-of-way crosses a public right-of-way, required setbacks or established building lines on adjacent properties are extended through or across the railroad right-of-way.
- d. no nonaccessory sign shall be constructed, erected, or placed in any way on the roof or walls of a building. A sign may be constructed over but not on a roof provided there is a minimum distance between the roof and the lowest point of sign surface of ten feet.

(5) *Spacing.*

- a. the measurement for the spacing requirement shall be from the center of the sign support structure.
- b. except as provided for in c. below no nonaccessory sign shall be constructed, erected, placed or replaced closer than 750 feet to another nonaccessory sign facing in the same direction and on the same side of the street or highway from which the sign is intended to be read.

- c. regardless of the applicable zoning, no sign displayed to be read from a divided, limited access roadway with four or more traffic lanes shall be constructed, erected, placed or replaced closer than 1,200 feet to another nonaccessory sign facing in the same direction and on the same side of the roadway from which the sign is intended to be read.
  - d. no nonaccessory sign shall be constructed, erected, placed or replaced closer than 300 feet to any property in the HL or HP Districts.
- (6) Spacing from residential property.
- a. no nonaccessory sign shall be constructed, erected, placed or replaced closer than 50 feet to the nearest residentially zoned (PUD, SPUD, R-A, R-1, R-1ZL, R-2, R-3, R-3M, R-4M, R-4, R-MH-1, and R-MH-2) property.
  - b. no nonaccessory sign shall be constructed, erected, placed or replaced closer than 150 feet to the nearest detached Single-Family or Two-Family Residential building.

(Ord. No. 17349, § 1(3-40), 9-27-83; Code 1980, § 3-102; Ord. No. 19508, § 8, 1-3-91; Ord. No. 19752, § 2, 5-12-92; Ord. No. 19852, §§ 3, 4, 11-10-92; Ord. No. 19983, § 1, 7-1-93; Ord. No. 20727, § 1, 12-17-96; Ord. No. 21336, § 1, 10-19-99; Ord. No. 24006, § 6, 1-19-10; Ord. No. 24008, § 1, 2-2-10; Ord. No. 24127, § 3, 8-31-10)

\* \* \*

DIVISION 3. - NONACCESSORY SIGN STANDARDS AND REGULATIONS

§ 3-119. - Standards for billboards and similar nonaccessory type signs.

\* \* \*

(1) General standards. Non-accessory signs shall be permitted as follows:

\* \* \*

- c. as a landmark roof sign, local directional sign, or off-site directional sign for public or private parking lots, in the BC District as authorized by the Bricktown Urban Design Committee according to the Sign Design Guidelines for Bricktown, Oklahoma City, as referenced in Chapter 59, Section 4250.6.C.(3)(e). The Committee shall also determine the size and number of such signs permitted.

(Ord. No. 17349, § 1(3-42), 9-27-83; Code 1980, § 3-119; Ord. No. 19983, § 2, 7-1-93; Ord. No. 22564, § 1, 10-5-04; Ord. No. 23279, § 1, 2-27-07; Ord. No. 23546, § 1, 2-12-08; Ord. No. 24008, § 1, 2-2-10)