

DIVISION 2. - SPECIAL PURPOSE OVERLAY DISTRICT

Sec. 23-270. - Requirements.

The regulations in this division are designed to facilitate the specific purposes for and within the special purpose zoning overlay. The special purpose overlay district designation shall be applied exclusively to those areas of the city located inside the boundaries of a duly created and established business improvement district.

Symbol	Name of District
SPO	Special purpose overlay

Sec. 23-271. - Permitted uses.

- (a) The following are permitted uses in the special purpose overlay district with commercial underlying zoning:
- (1) Accommodations. Establishments that provide customers with lodging on a transient basis, including hotels, motels, bed and breakfasts, group homes, and shelters.
 - (2) Arts and entertainment. A wide range of establishments that operate facilities or provide services to meet varied cultural and entertainment interests of their patrons. Such uses are comprised of establishments that are involved in producing, promoting, or participating in live performances, events or exhibits intended for public viewing; establishments that preserve and exhibit objects and sites of historical, cultural, or educational interest.
 - (3) Beverage services. Establishments that provide customers with beverages for immediate on-premises consumption; the primary revenue source of such use is from the sale of beverages.
 - (4) Financial institutions and services. Establishments engaged in financial transactions (transactions involving the creation, liquidation, or change in ownership of financial assets) and/or in facilitating financial transactions.
 - (5) Food services. Establishments that provide customers with meals or snacks for immediate on-premises consumption; the primary revenue source of such use is from the sale of food. This category includes sidewalk cafes and other open-air venues that serve customers from facilities located on public sidewalks and rights-of-way. It does not include transient food service vendors operating from vehicles or movable facilities such as pushcarts or trailers.
 - (6) Free-Standing Self Service
 - (7) Information. Establishments engaged in printing and publishing industries and in telecommunications.
 - (8) Mixed use. One or more dwelling units located, in the rear or upper floors, in a building wherein the first floor is occupied primarily by a commercial use at the building front/storefront, provided such commercial use is permitted in the primary zoning district.

- (9) Personal and laundry services, excluding industrial laundering services. Establishments engaged in personal and/or laundry services such as health and beauty parlors, massage parlors, and dry cleaning.
 - (10) Professional and administrative offices and services. Establishments that specialize in providing professional, scientific, administrative, management, employment, real estate or technical activities or services.
 - (11) Retail trade. Establishments engaged in retailing merchandise, generally without transformation and rendering services incidental to the sale of merchandise; organized to sell merchandise in small quantities to the general public with extensive displays of merchandise and utilizing mass-media advertising to attract customers.
 - (12) Residential. Multi-family residential uses as permitted in the underlying zoning district.
 - (13) Public administration and services. Federal, state and local government agencies that administer, oversee and manage public programs and have executive, legislative and/or judicial authority over other institutions within a designated jurisdiction. This category includes police and fire services.
 - (14) Other permitted uses. Other sales-tax generating commercial activity located within an entirely enclosed structure is permitted.
 - (15) Recreation
 - (16) Mobile Food Vendors
- (b) The following are permitted uses in the special purpose overlay district with residential underlying zoning:
- (1) Accommodations. Establishments that provide customers with lodging on a transient basis, including hotels, motels, bed and breakfasts, group homes, and shelters.
 - (2) Mixed use. One or more dwelling units located, in the rear or upper floors, in a building wherein the first floor is occupied primarily by a commercial use at the building front/storefront, provided such commercial use is Professional and administrative offices and services or permitted by a Specific Use Permit.
 - (3) Professional and administrative offices and services. Establishments that specialize in providing professional, scientific, administrative, management, employment, real estate or technical activities or services.
 - (4) Residential. Single-family, two-family and multi-family uses as permitted in the underlying zoning district.

Sec. 23-272. - Specific use permit required for certain uses.

A specific use permit is required for establishments engaged in activities or services not permitted in the overlay as a matter of right, including, but not limited to:

- (1) Churches and Religious Institutions
- (2) Funeral homes
- (3) Animal and pet keeping located within an entirely enclosed structure
- (4) Drive-in or drive-through food service establishments

- (5) Educational services. Establishments that provide instruction and training on a wide variety of subjects and by specialized establishments such as schools, colleges, universities and training centers, which may be privately owned and operated for profit or not for profit, or publicly owned and operated
- (6) Health care and social assistance. Establishments providing health care and social assistance for individuals on a continuum starting with those establishments providing medical care exclusively, continuing with those providing health care and social assistance, and finally with those providing only social assistance. This category includes nursing and residential care facilities, ambulatory surgical care facilities and hospitals.
- (7) Parking Lots and Parking Garages
- (8) Other comparable and/or complimentary uses not identified herein
- (9) POD or other storage device that: a) has façade materials approved by the BID Board, b) has façade materials that match the principal structure's materials, 3) has all transportation mechanisms removed, and 4) has obtained a permit from the City.

Sec. 23-273. - Development standards.

The following development standards are required in the special purpose overlay district:

- (1) At least ten percent of a building face along an exterior property line abutting a public street (excluding a public alley) must be on the property line and none of the building face shall be more than 15 feet from a property line abutting a public street. This standard shall not apply to any remodel of a building whenever there is no external structural alteration.
- (2) Balconies may project into the street right-of-way with support structures placed a maximum setback of two (2) feet from the face of the curb. General liability insurance is required.
- (3) Metal facades are prohibited.
- (4) Landscaping is permitted in the right-of-way throughout the district. Alternative treatments including, but not limited to, flower pots or hanging baskets, movable planters, sculptures, canopies, brick pavers or tile walkways, murals, commercial scale benches and trash receptacle, or water features are identified as acceptable landscape (hardscape) features and recognized as acceptable substitutes to existing landscaping standards. Such hardscape features shall be indicated on any site plan required by existing codes.
- (5) Minimum lot size: None.
- (6) Maximum height requirement: None.
- (7) Signs.
 - a) Signs may be mounted or painted on a building below the roof parapet.
 - b) Signs may also be painted or otherwise placed on storefront windows, provided that any such sign does not exceed 50 percent coverage of the total window space per wall.
 - c) No more than one sign type per street frontage per business shall be allowed.
 - d) "Off-site" advertising is permitted provided that no such signage shall exceed eight square feet in size and dimension and complies with other requirements set forth in this section.
 - e) Electronic signage and any signage greater than 100 square feet requires a Specific Use Permit.

- f) Pole signs are only allowed along Highway 51 (6th Avenue) and only with a Specific Use Permit.
- (9) Special community events signage is permitted.
- (10) Off-street parking requirement: parking on the individual property is not required.
- (11) Sidewalks shall have a minimum clear space of six (6) feet with no signage, display, poles, etc.
- (12) Sidewalk cafes are permitted in this overlay district, provided that such operations comply with the following:
- a) All such operations shall be located in an area immediately adjacent to and contiguous with the food service enterprise operating it;
 - b) Facilities, including tables and chairs, shall not extend beyond the frontage of the building wherein the food service enterprise operating the sidewalk café is located; provided, however, if the property line provides more space, such operations shall not extend beyond these boundaries;
 - c) All such operations shall be maintained on a concrete or similar hard, all-weather surface;
 - d) Operations located on public sidewalks or rights-of-way must be configured to ensure that six feet of space remains completely clear of obstructions for pedestrian travel;
 - e) Decorative wrought iron fencing is permitted when identified on a site plan approved by the development services department;
 - f) Awnings or canopies extending over the sidewalk café shall be supported by internal or external connections to the building face. If ground support poles are necessary, the poles shall comply with all applicable building and structural requirements;
 - g) The owner/operator of a sidewalk café operated on a public sidewalk or right-of-way must carry general liability insurance in an amount sufficient to fully indemnify the city in case of personal injury or property damage. Such insurance coverage shall be in amounts equal to the liability limits for political subdivisions set forth in the Oklahoma Governmental Tort Claims Act, 51 O.S. § 151 et seq., and shall name the city as an additional insured in amounts equal to such liability limits.
 - h) Prior to commencing such operations, a scaled site plan showing the location of the building, right-of-way, sidewalks, curbs, utility poles, awnings or canopies, and all proposed fencing, seating and tables, as well as proof of insurance shall be submitted to development services for review. A sidewalk café permit will be granted upon approval.
- (13) Outside sales or other private use of public sidewalks is allowed during a recognized event and with proper general liability insurance in an amount sufficient to fully indemnify the city in case of personal injury or property damage. Such insurance coverage shall be in amounts equal to the liability limits for political subdivisions set forth in the Oklahoma Governmental Tort Claims Act, 51 O.S. § 151 et seq., and shall name the city as an additional insured in amounts equal to such liability limits.

Sec. 23-274. - Duration of designation.

The term of this overlay zoning district shall end upon the expiration or dissolution of the underlying business improvement district; provided, however, that all development rights acquired by an owner of a parcel or tract of land located within the boundaries of the overlay zoning designation during the term of the overlay zoning district shall remain vested and shall continue in full force and effect until such time as the use is discontinued for a period of 12 consecutive months.

Sec. 23-275. - Reserved.

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