

ORDINANCE NO. 27,135

AN ORDINANCE DECLARING A 180-DAY MORATORIUM ON THE ACCEPTANCE OF NEW APPLICATIONS FOR, PROCESSING OF, AND ISSUANCE OF PLANNED UNIT DEVELOPMENTS AND SIMPLIFIED PLANNED UNIT DEVELOPMENTS THAT WOULD ALLOW CONSTRUCTION ON, OR USE OF, PROPERTY WITHIN 660 FEET OF LAKE HEFNER PARKWAY FROM A SOUTHERN BOUNDARY OF NW EXPRESSWAY TO A NORTHERN BOUNDARY OF MEMORIAL ROAD OF OKLAHOMA CITY FOR FREESTANDING SIGNS WITH A DISPLAY SURFACE AREA OVER 200 SQUARE FEET AND ON THE ACCEPTANCE OF NEW APPLICATIONS FOR, AND ISSUANCE OF, ELECTRICAL, BUILDING OR SIGN PERMITS FOR FREESTANDING SIGNS OVER 200 SQUARE FEET ASSOCIATED WITH REZONING APPLICATIONS SUBMITTED DURING THE MORATORIUM; PROVIDING AN APPEAL PROCESS; PROVIDING EFFECTIVE AND EXPIRATION DATES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

WHEREAS, on May 26, 2020 City Council adopted Ordinance No. 26,451 declaring a City-wide moratorium on the acceptance of certain rezoning applications and certain electrical, sign and building permits, which later was extended for a period of 905 days to address the proliferation of applications to request large freestanding signs in a zoning district where it would otherwise be prohibited, while the revised Sign Ordinance is in the process of being adopted; and

WHEREAS, this new temporary moratorium specifically relating to Lake Hefner Parkway, is being offered as part of a proposed settlement agreement in Lamar Central Outdoor, LLC and Lamar TLC Properties, LLC v. State of Oklahoma ex. rel. Department of Transportation, City of Oklahoma City and Hearts for Hearing Foundation, Case No. 20-CV-1194-SLP, for a period of 180 days or until such time as Lake Hefner Parkway is designated as a scenic corridor in accordance with the new Sign Ordinance, whichever occurs sooner.

WHEREAS, this temporary moratorium applies to the acceptance of applications for Planned Unit Developments (PUDs), Simplified Planned Unit Developments (SPUDs), and the

issuance of any electrical permit, sign permit or building permit, for new freestanding signs over 200 square feet in areas associated with a rezoning application submitted during the moratorium within 660 feet of the Lake Hefner Parkway from a southern boundary of NW Expressway to a northern boundary of Memorial Road; and

WHEREAS, for the purposes of this Moratorium, “freestanding” means not attached to a building; and

WHEREAS, consistent with the intent of PlanOKC and Chapters 3 and 59 of the Oklahoma City Municipal Code to promote the health, safety, and general welfare of the residents of Oklahoma City, and to allow for the holding of public hearings for consideration of the designation of Lake Hefner Parkway as a Scenic Corridor, it is necessary and advisable to adopt a temporary moratorium on the acceptance of new re-zoning applications for Planned Unit Developments, and Simplified Planned Unit Developments, or the issuance of any electrical, building or sign permits associated with any rezoning application that was submitted during the moratorium that would allow construction of or use of property for new freestanding signs with a surface display over 200 square feet; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

Section 1. There is hereby declared a Moratorium on the erection of signs or acceptance of applications for, processing of, and approval of a re-zoning including a Planned Unit Development, Simplified Planned Unit Development, or issuance of any electrical permit, sign permit or building permit, that would allow construction of or use of property within 660 feet of the Lake Hefner Parkway from a southern boundary of NW Expressway to a northern boundary of Memorial Road for a freestanding sign over 200 square feet.

Section 2. No application for a re-zoning including a Planned Unit Development, Simplified Planned Unit Development, electrical permit, sign permit or building permit, for

construction or use of a property within 660 feet of the Lake Hefner Parkway from a southern boundary of NW Expressway to a northern boundary of Memorial Road for the construction of a freestanding sign over 200 square feet shall be approved, accepted, processed, or issued during the term of this Moratorium.

Section 3. For the purposes of this Moratorium, “freestanding” means not attached to a building.

Section 4. Any firm, person or business entity aggrieved by any determination made by the Development Services Director or Planning Director under the terms of this Ordinance may appeal such determination to the Board of Adjustment as provided in Chapter 59 of the Oklahoma City Municipal Code, 2020, as amended. The Board of Adjustment is hereby authorized to grant variances from the terms of this Ordinance in order to relieve an unnecessary hardship, provided the purpose and intent of the Ordinance are met.

Section 5 The provisions of this Ordinance shall apply only to rezoning applications and permit applications, which are filed after the effective date of this Ordinance, as set forth in Section 8 below.

Section 6. This Moratorium shall become effective immediately upon its adoption, and shall remain in full force and effect for the shorter of 180 days or the designation of Lake Hefner Parkway as a Scenic Corridor, after which it shall automatically be null, void, and repealed, provided that the repeal date of the Moratorium may be modified by the enactment of a subsequent ordinance of The City of Oklahoma City.

Section 7. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 8. An emergency is hereby declared to exist for the preservation of the public peace, health and safety and by reason whereof this Ordinance shall take effect immediately upon its adoption, approval and publication.

INTRODUCED AND READ in the open meeting of the Council of The City of Oklahoma City, Oklahoma, this 16th day of August, 2022.

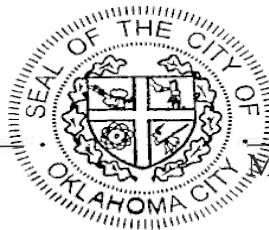
PASSED by the Council of The City of Oklahoma City, Oklahoma, this 16th day of August, 2022.

SIGNED by the Mayor of The City of Oklahoma City, Oklahoma, this 16th day of August, 2022.

THE CITY OF OKLAHOMA CITY

ATTEST:

Amy K. Simpson
City Clerk



David Holt
MAYOR

REVIEWED for form and legality.

Larry J. McDevitt
Assistant Municipal Counselor