

Ordinance No. O-1718-51

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 420, PUD, PLANNED UNIT DEVELOPMENT DISTRICT; 420.05, SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; 423.2, C-1, LOCAL COMMERCIAL DISTRICT; 424.3, CR, RURAL COMMERCIAL DISTRICT; 429, MUD, MIXED USE DEVELOPMENT DISTRICT; AND 429.7, CCFBC, CENTER CITY FORM BASED CODE, ALL IN CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES IN COMPLIANCE WITH STATE LAW IN THEATERS; AND AMENDING SECTIONS 422.7, RO, RESIDENCE-OFFICE DISTRICT; 423.2, C-1, LOCAL COMMERCIAL DISTRICT; 424.3, CR, RURAL COMMERCIAL DISTRICT; AND 429, MUD, MIXED USE DEVELOPMENT DISTRICT, TO CHANGE “LIQUOR STORE” OR “PACKAGE LIQUOR STORE” TO “RETAIL SPIRITS STORE”; AMENDING 423.2, C-1, LOCAL COMMERCIAL DISTRICT, TO DELETE “SHORT ORDER FOOD RESTAURANT”; AND AMENDING SECTION 450, DEFINITIONS, TO AMEND THE PERCENTAGE OF FOOD SALES REQUIRED TO QUALIFY AS A RESTAURANT, AND DELETING THE DEFINITION OF “RESTAURANT, SHORT ORDER FOOD”; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 420 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

SEC. 420 – PLANNED UNIT DEVELOPMENTS

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3. Standards of Development.

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(h) A theater, including one that sells alcoholic beverages in compliance with state law, may be incorporated into appropriate Planned Unit Developments.

§ 2. That Section 420.05 of Chapter 22 shall be amended to read as follows:

SEC. 420.05 – SIMPLE PLANNED UNIT DEVELOPMENTS

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6. Standards of Development.

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(c) A theater, including one that sells alcoholic beverages in compliance with state law, may be incorporated into appropriate Simple Planned Unit Developments.

§ 3. That Section 422.7 of Chapter 22 shall be amended to read as follows:

SEC. 422.7 – RO, RESIDENCE-OFFICE DISTRICT

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2. Uses permitted. Property and buildings in a RO, Residence-Office District, shall be used only for the following purposes:

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(i) Convenience goods and services as follows but only in conjunction with residential uses in mixed buildings as qualified below:

(1) Convenience goods stores, similar to the following uses:

drugstore or proprietary store

florist

food store, including bakery (retail only)

gift, novelty, or souvenir shop

hardware store

ice vending establishment

limited price variety store

~~liquor store~~

newsstand

paint, glass, or wallpaper store

retail spirits store

tobacco store

§ 4. That Section 423.2 of Chapter 22 shall be amended to read as follows:

SEC. 423.2 – C-1, LOCAL COMMERCIAL DISTRICT

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2. Uses permitted. Property and buildings in a C-1, Local Commercial District, shall be used only for the following purposes:

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- (b) The following uses shall be permitted provided that no individual use shall exceed a Gross Floor Area of 35,000 square feet and that no outdoor storage or display of material or goods is permitted:

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Office business.

Outdoor or indoor courts for handball, racquet ball, tennis or sports activity of a similar nature (lighted outdoor courts shall not be operated later in the evening than 10:00 p.m. and lighting must be arranged to direct light away from any adjoining property in a residential district).

~~Package liquor store.~~

Painting and decorating shop.

Pet shop.

Pharmacy.

Photographer's studio.

Radio and television sales and service.

Restaurant. A restaurant may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.

Retail spirits store.

Self service laundry.

Sewing machine sales.

Sporting goods sales.

Shoe store or repair shop.

~~Short order food restaurant.~~

Tailor shop.

Theater (excluding drive-in theaters), including one that sells alcoholic beverages in compliance with state law.

Toy store.

§ 5. That Section 424.3 of Chapter 22 shall be amended to read as follows:

SEC. 424.3 – CR, RURAL COMMERCIAL DISTRICT

2. Uses permitted. Property and buildings in a CR, Rural Commercial District, shall be used only for the following purposes:

- (a) No individual use shall exceed a Gross Floor Area of 35,000 square feet:
 - (1) Artist material supply, studio or hobby shop.

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~~(14) Package liquor store.~~

~~(14)(15) Pharmacy.~~

~~(15)(16) Plant nursery.~~

~~(16)(17) News stand and tobacco store.~~

~~(17)(18) Restaurant.~~

~~(18) Retail spirits store.~~

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3. Special Use. The following uses may be permitted, after review, in accordance with Section 434.1:

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- (f) Theater, indoor, including one that sells alcoholic beverages in compliance with state law.

§ 6. That Section 429 of Chapter 22 shall be amended to read as follows:

SEC. 429 – MUD, MIXED USE DEVELOPMENT DISTRICT

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2. Uses Permitted.

- (a) Residential uses.
- (b) Live/work units, where a single space is used jointly for a permitted non-residential as well as a residence for the owner or operator of the non-residential use.
- (c) General neighborhood oriented retail uses, including but not limited to the following:
 - (1) Antique store

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- (16) Key shop
- ~~(17) Liquor store~~
- (17)(18) Office use (including medical offices)
- (18)(19) Personal services
- (19)(20) Pet store
- (20)(21) Repair shop
- (21) Retail spirits store
- (22) Shoe shop (including repair)

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4. Special Use. City Council may approve the following Special Uses after review and in accordance with Section 434.1:

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- (f) Theater with no more than 500 seats, including one that sells alcoholic beverages in compliance with state law.

§ 7. That Section 429.7 of Chapter 22 shall be amended to read as follows:

SEC. 429.7 – CCFBC, Center City Form-Based Code

(Contained in a separate document: “Center City Form-Based Code” dated April 2017, and as later amended, consisting of a cover page, Pages iii-vi, Pages 1-70 and Center City Planned Unit Development – Appendix B, Pages 1-7)

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The Center City Form-Based Code, as expressly adopted by reference herein, shall be hereby amended as follows:

In Appendix B, Section 3 (“Standards of Development”), to add the following sub-section “(i)”:

- (i) A theater, including one that sells alcoholic beverages in compliance with state law, may be incorporated into appropriate CCPUDs.

§ 8. That Section 450 of Chapter 22 shall be amended to read as follows:

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(115) RESTAURANT. A facility which derives more than ~~50%~~ 35% of its total revenue from the sale of food, excluding ~~low point beer and other~~ alcoholic beverages, as well as other secondary sources of income, such as admissions, cover charges, or amusements.

~~(115.1) RESTAURANT, SHORT ORDER FOOD. An establishment dispensing "short order food", which shall mean food other than full meals. For the purpose of this section, "full meals" means foods commonly ordered at breakfast, lunch, or dinner and at least part of which is cooked on the licensed premises and requires the use of dining implements for consumption; provided that the services of only food such as appetizers, sandwiches, salads or desserts shall not be considered "meals." Alcoholic beverages (intoxicating or nonintoxicating) may not be served at a short order food restaurant.~~

§ 9. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day
of _____, 2018.

NOT ADOPTED this _____ day
of _____, 2018.

(Mayor)

(Mayor)

ATTEST:

(City Clerk)