

ORDINANCE NO. 3443

AN ORDINANCE AMENDING SECTIONS 7.4, 7.10, AND 7.11 OF THE ZONING REGULATIONS FOR THE BARTLESVILLE-WASHINGTON COUNTY METROPOLITAN PLANNING AREA, PERTAINING TO THE GENERAL DEVELOPMENT STANDARDS, LANDSCAPING REQUIREMENTS, AND SIGNS AND SIGN STRUCTURES.

WHEREAS, the Metropolitan Area Planning Commission (MAPC) held a public hearing on December 16, 2014, to consider proposed amendments to the Zoning Regulations of the Bartlesville-Washington County Metropolitan Planning Area; and

WHEREAS, the City Council reviewed the recommendation of the MAPC and after conducting a second public hearing on January 5, 2015, concluded the proposed amendments to be appropriate.

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

Section 1. That the Section 7.4, General Development Standards, of the Zoning Regulations of the Bartlesville-Washington County Metropolitan Planning Area are hereby amended as shown in the annotated copy and information attached hereto as Exhibit A.

Section 2. That the Section 7.11, Signs and Sign Structures, of the Zoning Regulations of the Bartlesville-Washington County Metropolitan Planning Area are hereby amended as shown in the annotated copy and information attached hereto as Exhibit B.

Section 3. That the Section 7.10.3(G). Development Design Standards, Signage Requirements for the Highway 75 Overlay District, of the Zoning Regulations of the Bartlesville-Washington County Metropolitan Planning Area is hereby amended in its entirety to read as follows:

G. Signage Requirements. Signage within the Highway 75 Overlay District shall comply with the provisions set forth in Section 7.11 of these Regulations, however, pole signs, billboards, and roof-mounted signs are expressly prohibited.

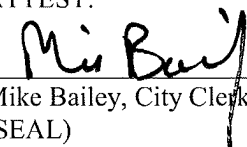
PASSED by the City Council and **APPROVED** by the Mayor of the City of Bartlesville, Oklahoma this 5th day of January 2015.



Tom Gorman, Mayor
City of Bartlesville
401 S. Johnstone Ave.
Bartlesville, OK 74006



ATTEST:


Mike Bailey, City Clerk
(SEAL)

VOTE:

MS. NGUYEN	<input checked="" type="radio"/> aye	no
VICE MAYOR COPELAND	<input checked="" type="radio"/> aye	no
MR. KANE	<input checked="" type="radio"/> aye	no
MR. LOCKIN	<input checked="" type="radio"/> aye	no
MAYOR GORMAN	<input checked="" type="radio"/> aye	no

EXHIBIT A

AMENDED GENERAL DEVELOPMENT STANDARDS

7.4 General Development Standards

The standards contained in this section address the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment. These General Development standards apply to all development involving any zoning approval or approvals pursuant to this Ordinance, subject to the following limitations:

A. The standards contained in this section apply to all new development unless specifically exempted.

B. The standards contained in this Section apply to the expansion or improvement of existing uses only if the expansion or improvement:

- Exceeds 25% or more of the original floor area of the building;
- Exceeds more than ten (10) off-street parking spaces; or
- Increases the non-permeable lot coverage by more than 20%; or equals or exceeds fifty percent (50%) of the market value of the structure before the expansion or improvement is started.
- Increases the structure or property value by more than 25%, per the county appraiser's records.

7.4.1 *Off-Street Loading Requirements*

7.4.1.1 Requirement. Every building or structure hereafter constructed in any district, for nonresidential purposes requiring the receipt or distribution by vehicles of material or merchandise shall provide and maintain on the same lot with such building, at least one (1) off-street loading space.

7.4.1.2 Location. Such space may occupy all or any part of any required yard, or court space, but no such space may be located closer than fifty (50) feet to any residential district unless wholly within a completely enclosed building or unless enclosed on all sides abutting the residential district by a wall of not less than eight (8) feet in height.

7.4.2 *Off-Street Parking Requirements*

7.4.2.1 Requirement. In all zoning districts, except the C-4 District, in connection with every industrial, commercial, institutional, recreational, residential or any other use, there shall be provided, at the time any building or structure is erected or enlarged or increased in capacity, or any other use is established, off-street parking spaces for automobiles in accordance with the requirements in the "Parking Spaces Required" column in the tables of permitted uses. All such parking spaces shall be accessed by a curb cut or driveway which conforms with all applicable City Codes. Parking space used in connection with an existing and continuing use or building on the effective date of these regulations up to the number required by these regulations, shall be continued and may not be counted as serving a new structure or addition; nor may a parking space be substituted for a loading space or a loading space substituted for a parking space.

~~Any parking area which is to serve a new use of land shall satisfy the requirements of these regulations. Further, existing parking lots not meeting the requirements of these regulations shall be brought into full compliance if an existing use is improved or remodeled to a value of 25 percent or more of the valuation of the existing principal structure as reflected on the county property appraiser's current records.~~

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7.4.2.2 *Size, Surface, Striping, and Drainage and Perimeter Curbing.*

A. ~~1.~~ *Size.* Each off-street parking space shall have an area with minimum dimensions as set forth in the following table.

STANDARD PARKING SPECIFICATIONS

Parking Angle In Degrees	Stall Width (ft.)	Aisle Length Per Stall (ft.)	Depth of Stall* Perpendicular to Aisle (ft.)	Aisle Width (ft.)	
				One-Way	Two-Way
0 (parallel)	8.5	23.0	8.5	12.0	24.0
30	9.0	18.0	17.3	11.0	22.0
45	9.0	12.7	19.8	13.0	22.0
60	9.0	10.4	21.0	18.0	23.0
75	9.0	9.3	20.7	20.5	24.0
90	9.0	9.0	19.0	24.0	24.0

* The actual paved depth of the stall may be less if it is designed to otherwise accommodate a maximum two-foot vehicle front overhang.

~~2.~~B. *Surface.*

a. Nonresidential Uses. All nonresidential parking areas shall be paved with an all-weather surface, to include but not limited to, asphalt, concrete or chip and seal.

b. Residential Uses of Four or Less Units. All residential parking areas shall be paved with gravel or an all-weather surface, to include but not limited to, asphalt, concrete, or chip and seal. If rock, gravel, or similar inorganic material is used, said area shall be enclosed with a permanent border or frame, shall be a minimum of two (2) inches in thickness, and shall be maintained in this manner.

It shall be unlawful and an offense for any person to park on any property owner or occupant to permit any person to park any vehicle on grass, dirt, or similar unpaved surface. Such parking areas shall be maintained in such a manner that no dust will result from continued use. Exceptions or variances to this all-weather surface requirement may be granted by the Board of Adjustment for nonresidential parking areas within the three-mile unincorporated area of the Bartlesville Metropolitan Planning Area where clear evidence of practical difficulty or unnecessary hardship can be shown by the developer.

~~C.~~3. *Striping.* Except for all residential units of four or less units and townhomes, all parking stalls shall be marked with white or yellow painted lines not less than four (4) inches wide. Such striping shall delineate parking stall dimensions consistent with the stall number and size requirements set forth herein.

~~D.~~4. *Drainage and Perimeter Curbing.* Except for all residential units of four or less units and townhomes, all open, off-street parking shall be graded according to an approved drainage plan and shall have a perimeter curb barrier around the entire parking lot; said curb barrier, not be closer than five (5) feet to any lot line. Grass, plantings, or screening shall be provided in all areas bordering the parking area.

7.4.2.3 *Floor Area Defined.* For the purpose of applying the requirements for off-street loading and parking, the term "floor area", in the cases of offices, merchandising, or service types of uses, shall mean the gross floor area used or intended to be used by tenants, or for the service to the public as customers, patrons, clients or patients, including areas occupied by fixtures and equipment for display or sale of merchandise. It shall not include areas used principally for non-public purposes, such as storage, incidental repair, processing, or packaging of merchandise, for offices incidental to the management or maintenance of stores or buildings, for rest rooms, utilities, or for fitting or dressing rooms.

7.4.2.4 *Lot Area Defined.* For the purpose of applying the requirements for off-street loading and parking; the term "lot area" in the case of:

- A. ~~1.~~—Golf driving range, commercial, shall mean the tee area only.
- B. ~~2.~~—Retail sales of agricultural products raised on the premises, shall mean the lot area used for display and sale of the products only.

7.4.2.5 *Location.* Such off-street parking space may occupy all or any part of any required yard or court space; except in an interior side or rear yard which abuts a lesser zoning district, in which case, such off-street parking space may occupy no more than the furthest 50% of said required yard area. For any new use, structure, or building, required off-street parking, which because of the size or location of the parcel cannot be provided on the premises, may be provided on other property not more than four hundred (400) feet distant from the building site. Such parking space shall be deemed to be required parking space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner. Off-street parking spaces shall be arranged so that no vehicle will back directly onto a street. All private parking areas and circulation drives shall be located off of the street right-of-way. Divisional islands and curbs shall be constructed where necessary to provide such protection.

7.4.2.6 *Number of Off-Street Parking Spaces Required.* The number of off-street parking spaces require for each use is set forth in the "Parking Spaces Required" column in the tables of permitted uses. It is the intent of these requirements to result in the minimum amount of required parking as excessive amounts of parking yields only result in larger impervious surface areas. If for any reason the classification of any use for the purpose of determining the amount of off-street parking space to be provided by each use is not readily determinable there under; the classification of the use shall be determined by the Community Development Director. All uses, except for single family detached, attached and duplex units, shall provide handicapped accessible parking in accordance with the latest edition of the International Building Code (IBC) as adopted by the City of Bartlesville and the most current Americans with Disabilities Act Accessibility Guidelines (ASAAG). Such spaces shall be considered part of, rather than an addition to the required number of spaces.

7.4.2.7 *Shared Parking.* Developments or uses with different operating hours or peak business periods may share off-street parking spaces if approved and if the shared parking complies with all of the following standards.

- A. ~~1.~~—Location. Shared parking spaces must be located within 600 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided.
- B. ~~2.~~—Zoning District Classification. Shared parking areas require the same or a more intensive zoning classification than that required for the use served.
- C. ~~3.~~—Shared Parking Analysis: Those wishing to use shared parking as a means of satisfying off-street parking requirements shall submit a shared parking analysis that clearly demonstrates the feasibility of the shared parking arrangement. The analysis must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.
- D. ~~4.~~—Agreement for Shared Parking: A shared parking plan shall be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be approved by the Community Development Director and recorded of record at the County Courthouse prior to the issuance of a building permit for any use to be served by the shared parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with Section 7.4.2.

~~7.4.2.8 *Development and Maintenance of Parking Areas.* Every parcel of land, hereafter used as a public or private parking area, including a commercial lot, shall be developed and maintained in accordance with the following requirements:~~

- ~~A. *Screening and Landscaping.* It is the policy of the City of Bartlesville to promote attractive and pleasing shopping environments and to mitigate the adverse effects of commercial land use with its attendant vehicle storage requirements on adjacent residential uses. The following landscaping and screening requirement are therefore imposed.~~
 - ~~1. All areas utilized for off-street parking shall provide a 5-foot wide landscaped strip between the parking area and the abutting right-of-way. An overhang from abutting parking areas shall not impeded upon this 5-foot landscape strip. Such landscape strips shall be continuous except where~~

driveway openings are required. Three trees per 100 feet of street frontage shall be planted within the landscape strip. Said street trees may be planted on center or may be clustered if approved by the Community Development Director.

2. Any proposed parking areas adjacent to a residential use shall provide a landscape strip at least five feet in width. Such strip shall be landscaped with trees, shrubs, earthen berms, fencing material or a combination of the above which will provide an effective screen from the direct glare of automobile headlights.
3. All parking areas containing less than 10 spaces shall not be required to provide landscaping.
4. All parking lots containing 10 to 47 spaces shall be required to provide landscaping covering an area equal to 10 percent of the area of the parking lot with one tree for each 300 square feet of required landscape area. Perimeter plantings around the parking area may be counted for up to 50% of this required landscape area with the remaining landscape area to be within the interior of the parking lot in landscaped islands or medians.
5. All parking lots containing 48 or more spaces shall provide landscaping as follows:
 - a. A minimum of 10 percent of the paved area shall be landscaped. This landscaping shall be in the form of planted medians and islands. Perimeter planting shall not count toward this requirement.
 - b. A continuous bay of parking spaces shall be no longer than 20 spaces without separation by a landscaped island or median. An island at the end of a row or abutting a drive aisle shall be at least 10 feet in width.
 - c. A minimum of one tree for each 300 square feet of required landscape area shall be planted in the parking lot islands.
 - d. A median between rows of cars is optional, but may be required in order to meet the minimum landscape requirement. If such a median is provided, it shall be at least 8 feet in width.
6. All such required trees shall have a minimum three-inch (3") caliper as measured six inches (6") up from the base at the time of planting. Fractions of trees above 0.5 shall be rounded up to the nearest whole tree.
7. All landscape areas shall be irrigated by one of the following methods: an underground sprinkler system; a hose attachment within 150 feet of all landscaping; or a directed drainage system across the landscape area, provided that the same is designed so as to not result in erosion.

Street Frontage	5-foot landscape strip and 3 trees for every 100 feet of frontage
Perimeters	5-foot landscape strip where abutting a residential use with effective Screening
Interiors	<ul style="list-style-type: none"> • Less than 10 spaces: none required • 10 to 47 spaces: 10% of paved area with 1 tree for each 300 square feet of landscaped area; perimeter plantings may count toward 50% of this required area • 48 spaces or more: 10% of paved area with 1 tree for each 300 square feet of landscaped area; perimeter plantings may not count toward this required area; landscaped island required for each continuous bay of 20 parking spaces

8. The Board of Adjustment may grant a variance from the above requirements in the case of narrow or unusually shaped lots where its application would result in an unreasonable hardship. However, in order that the intent of the regulation not be impaired, the Board may require additional planting units proportional to the permitted reduction in the width of the landscape strip or area of interior landscaping.

B. Maintenance Responsibility. The owners and their agencies shall be responsible for providing, protecting, and maintaining all landscaping in healthy and growing conditions, replacing it when necessary, and keeping it free of refuse and debris.

7.4.3 Site Requirements.

~~7.4.3.1 Street Trees. All developments, other than single-family and duplex developments, shall provide three (3) street trees for every one hundred (100) feet of street frontage at the time of development along any public street frontage. Said street trees shall be planted within a minimum five (5) foot landscape strip abutting said street frontage or within the right-of-way as authorized by applicable City ordinances and shall have a minimum three-inch (3") caliper as measured six inches (6") up from the base at the time of planting. Fractions of trees above 0.5 shall be rounded up to the nearest whole tree.~~

A- 7.4.3 Landscaping Requirements.

Landscaping is an important part of land development and helps to define parking areas; mitigate the view of cars and pavement; provide a buffer and screening for residential properties; provide continuity to the streetscape; minimize noise, wind, heat, air pollution, and storm water runoff and erosion; increase ground permeability; and obtain other environmental benefits associated with green infrastructure. The standards contained in the Section for the provision, installation, and maintenance of landscape planting in and around the various land uses and associated parking areas applied to the development of multifamily uses of three (3) or more units per structure and all nonresidential development. This section sets forth minimum standards through the use of point system which assures that the minimum requirements are met while providing greater flexibility in design, installation, and maintenance required landscaping.

7.4.3.1 General Requirements.

- A. All landscaping shall be hardy plants and shall be maintained thereafter in a neat, healthy, and orderly manner. Withered and/or dead plant materials shall be replaced within a reasonable period of time, but no longer than one growing season. Replacement materials will be required when any tree or shrub is removed or dies. Any tree with a caliper of less than 3 inches shall be replaced by the same caliper of tree. Trees that are larger than 3 inches in caliper shall be replaced with a tree with a minimum caliper of three-inches.
- B. Required landscaping materials, including all trees, shrubs, and plants shall be maintained in perpetuity by the then-owner(s) of the property.
- C. Planting shall not be planted or maintained in such a way as to create side obstruction or hazard for vehicular or pedestrian traffic.
- D. Wherever ground in its natural state has been disturbed, approved landscaping or grass shall be fully installed, and established prior to issuance of a Certificate of Occupancy or as approved by the Community Development Director.
- E. The entire site not devoted to floor area, parking, detention, access ways, or pedestrian use shall be appropriately landscaped with grass, trees, shrubs and groundcover.
- F. Required landscaping areas, landscaped islands, and buffer areas shall be designed to integrate parking lot and site drainage in order to increase storm water infiltration, reduce storm water runoff velocities, and minimize non-point source pollution.
- G. Property owners and all zoning district shall be responsible for landscaping and maintaining the area within the street right-of-way between the curb line and their property line.
- H. All required landscaping shall be irrigated by one or a combination of the following methods:
 - An underground sprinkler system equipped with your rain sensor;
 - A drip irrigation system equipped with a rain sensor; or
 - A hose attachment within one hundred feet (100') of all landscaped areas.

7.4.3.2 Minimum Size Requirements and Point system

- A. The developer may use any combination of plantings to obtain the necessary number of points required for the development. Different lots and landscapes will lend themselves to different types of plantings. These regulations attempt to encourage creativity and diversity and landscaping.
- A-B. Different types and sizes of plants are worth different point values as set forth in the following table.

<u>Plant Type</u>	<u>Minimum Size at Time of Planting</u>	<u>Minimum Mature Size</u>	<u>Point Value</u>
<u>Tree Classifications</u>			
<u>Large Tree</u>	<u>2-inch caliper and 8-feet in height</u>	<u>30-feet in height</u>	<u>12</u>
<u>Small Tree</u>	<u>1.5-inch caliper and 6-feet in height</u>	<u>15-feet in height</u>	<u>8</u>
<u>Note: 2 additional points for trees that are evergreen</u>			
<u>Shrub Classifications</u>			
<u>Large Shrubs</u>	<u>3-feet in height</u>	<u>8-feet in height</u>	<u>3</u>
<u>Medium Shrubs</u>	<u>2-feet in height</u>	<u>5-feet in height</u>	<u>2</u>
<u>Small Shrubs</u>	<u>18-inches in spread or height</u>	<u>3-feet in height</u>	<u>1</u>
<u>Note: 1 additional point for shrubs that are evergreen</u>			
<u>Ground Cover Classifications (excluding turf grass)</u>			
<u>Flowering Perennials</u>	<u>100 ft.²</u>		<u>6</u>
<u>Green Perennials</u>	<u>100 ft.²</u>		<u>4</u>
<u>Ornamental Grasses</u>	<u>100 ft.²</u>		<u>6</u>

- C. The required number of points for any one area may be reduced by 40% if the total planting area is designed as a contiguous green space, serving as an approved vegetated low impact development storm water management area, to include but not limited to, vegetated infiltration soils, cascade pools, rain gardens, or bioswales.
- D. The caliper of the tree trunk shall be measured at twelve inches (12") above the ground level.
- E. Existing healthy vegetation may be counted toward the required landscaping, subject to approval and plant type classification for point valuation by the Community Development Director.
- F. The use of hard scape materials and other non-living landscape materials, including but not limited to rock, stone, structural or decorative features such as fountains, reflecting pools, artwork, benches, gesturing and walkways, bicycle parking, and recreation facilities, may be proposed with final approval to be granted by the Community Development Director. However, in no case shall such hard scape or non-living landscape materials be approved which would exceed 25% of the total required landscaped area.

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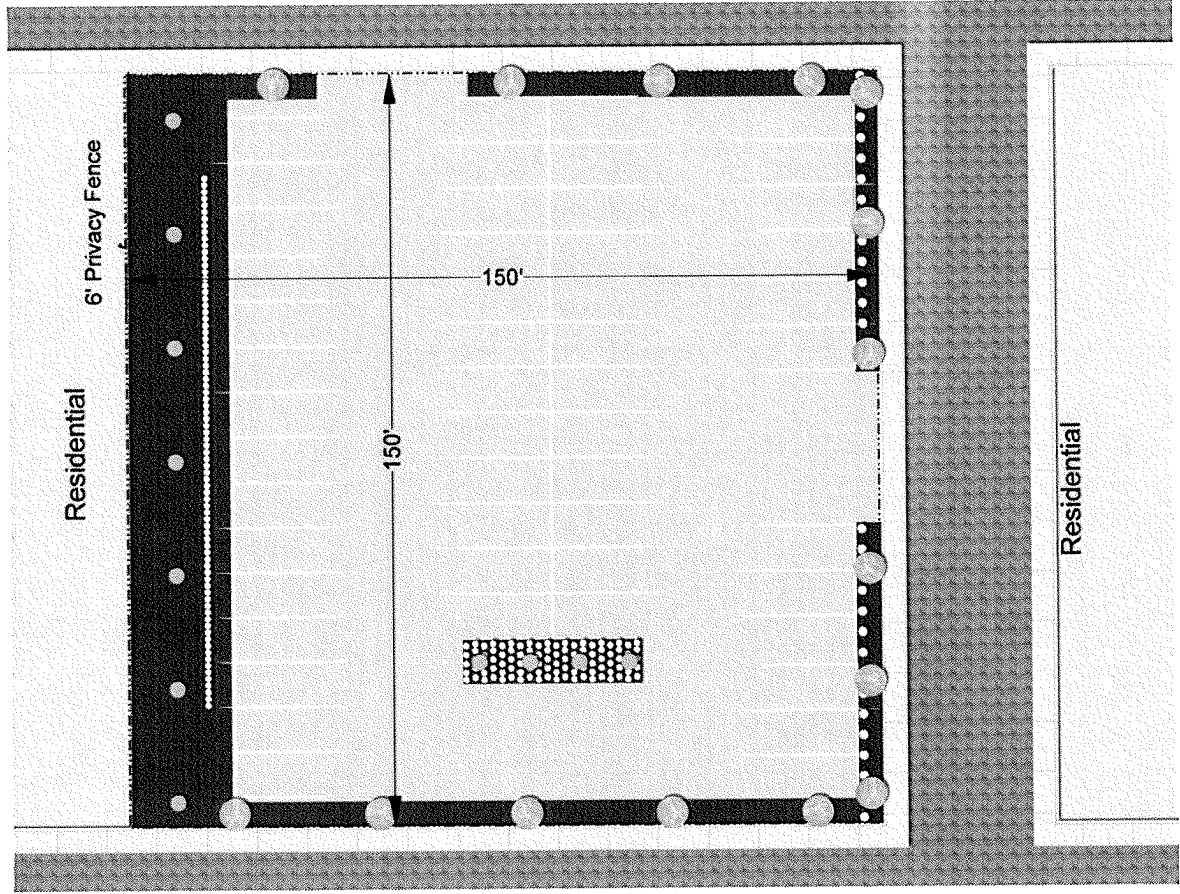
B-7.4.3.3 Minimum Requirements by Land Use

Landscaping within any developed area must equal or exceed a minimum number of points in order to obtain approval. The number of points that must be achieved is based upon the land use as identified in the following table. When calculating points, quantities, areas and/or distances, values shall be rounded up to the nearest whole number.

<u>Land Use</u>	<u>Minimum Points Required</u>	<u>Required Location</u>
<u>Off-Street Parking Lot containing ten (10) or more spaces</u>	<u>Option A: 1.0 times the total number of parking spaces provided; 50% of the points must be achieved by tree planting.</u>	<u>Within the parking lot in curbed islands or peninsulas (minimum 9-feet in width)*</u>
	<u>Option B: 1.5 times the total number of parking spaces provided; 50% of the points must be achieved by tree planting.</u>	<u>Within 15-feet of the perimeter of the parking lot pavement, on a landscaped berm (minimum 3-feet in height)</u>
<u>Street Frontage</u>	<u>40% of the overall length of the street frontage; 80% of the points must be achieved by tree planting</u>	<u>Along the street frontage within a minimum 5-foot wide landscape strip</u>
<u>Required Residential Protection Screen Along Adjacent Property Line</u>	<u>When adjoining a residential property, 50% of the overall length of the adjoining property line; 100% of the points must be achieved by planting which will reach a minimum height of 8 feet at maturity.</u>	<u>Along the protected properties adjacent property line within a minimum 20-foot buffer area; in addition to the requirements of Section 7.4.3.8</u>
<u>Required Residential Protection Screen Along Public Right-of-Way</u>	<u>Where facing a residential property which in intervening public right-of-way, 40% of the overall length of the facing property line; 80% of the points must be achieved by planting small or medium shrubs</u>	<u>Within a 5-foot wide landscape strip along the intervening public right-of-way; in addition to the requirements of Section 7.4.3.8; may be combined with required street frontage landscaping.</u>
<u>*A continuous bay of parking spaces shall be no longer than 20 spaces without separation by a landscaped island or median.</u>		

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7.4.3.4 Example of Point Calculation and Layout



Description Of Property	Street Frontage: 450' Adjoining Residential: 150' Facing Residential with intervening public right of way: 150' Proposed Parking Spaces: 51
Requirements	Calculation of Points
Street Frontage	Total: $450 \times 0.40 = 180$ (Tree Minimum: $300 \times 0.80 = 144$)
Parking Lot Option A	Total: $51 \times 1 = 51$ (Tree Minimum: $51 \times 0.50 = 23$)
Residential Protection Along Adjacent Property Line	Total: $150 \times 0.5 = 75$
Residential Protection Along Public Right-Of-Way	Total: $150 \times 0.4 = 60$ (Small/Medium Shrub Minimum: $60 \times 0.80 = 48$)
Total Points (Option A)	$180 + 51 + 75 + 60 = 366$ (Total Tree Points: 170)

Plant Legend				
Symbol	Common	Qty	Class	Total
	Elm	15	Large Tree	
	Black Eyed Susan	424sf	Perennial	
	Boxwood	30	Small Shrub	
	Eastern Red Cedar	11	Small Tree	
Base Points		12	6/100sf	8
Evergreen Credit				2
Total		180	25	110
				375

~~7.4.3.2~~ 7.4.4 Drainage and On-Site Detention. All sites, including parking areas, shall be properly graded to provide for adequate storm drainage and on-site detention of stormwater. The proposed method of providing for storm water drainage, both surface and subsurface, shall conform to the requirements contained in the Subdivision Regulations pertaining to design standards for storm drainage facilities. At the option of the City of Bartlesville, the developer may pay a fee-in-lieu of providing all or part of the required on-site stormwater detention facilities, if it is determined that the existing downstream regional stormwater facilities are sufficient in size and capacity to accommodate the increased flow generated by the proposed development.

~~7.4.3.3~~ 5 Sidewalks. All sites shall provide public sidewalks as required in the Subdivision Regulations where such sidewalks have not been previously installed. Streets, Sidewalks, Access, and On-Site Vehicular Circulation

- A. All streets shall meet the standards and requirements of the Subdivision Regulations for the Bartlesville-Washington County Metropolitan Planning Area.
- B. No principal building shall be constructed on a lot that does not abut a public street, except where a private street has been approved by the City of Bartlesville or Washington County. The frontage of such a lot shall not be less than that required for the applicable zoning district.
- C. All development shall be designed to allow for cross-access to adjacent properties, where practical, to encourage shared parking and shared access points on public and private streets. A cross-access easement must be recorded prior to the issuance of a building permit.
- D. The design of ingress and egress facilities shall comply with the Bartlesville Municipal Code as well as any other applicable local, county, state, or federal regulation or requirement.

~~7.4.3.4~~ 6 Lighting. Whenever exterior lighting is provided on the site, the lighting facilities shall be arranged so that illumination is directed away from adjacent properties and rights-of-way and will not interfere with traffic. Light poles shall not be placed in street rights-of-way or utility easements adjacent to street rights-of-way, except by franchised utility companies or by the City of Bartlesville, as a part of a street lighting project. All outdoor lighting shall be by shielded fixtures. Light fixtures shall be parallel to the final grade and installed so that no direct light will shine beyond the subject property. The height of light poles and fixtures shall be approved through the site plan process. Planning staff may approve an outdoor lighting plan as directed by the MAPC as a condition of site plan approval.

The submitted lighting plan shall include the following:

- 1. A scale drawing of the site with all outdoor lighting locations shown;
- 2. Pole type and height of fixture from base of the pole;
- 3. Lamp type and size; and
- 4. Fixture mounting and orientation.

Allowable heights of light fixtures shall be measured from the light-emitting surface to the base of the pole location as follows:

- 1. Maximum height of sixteen (16) feet if located within fifty (50) feet of agricultural/residential zoned districts or any public right-of-way;
- 2. Maximum height of twenty (22) feet if located within fifty-one (51) feet to two hundred fifty (250) feet of an agricultural/residential zoned district or any public right-of-way;
- 3. Maximum height of thirty-five (35) feet if located a minimum of two hundred fifty-one (251) feet of an agricultural/residential zoned district or any public right-of-way;
- 4. Maximum fixture height shall not exceed thirty-five (35) feet.

Searchlights shall require a special permit. If granted, such permit shall not be valid for duration longer than forty-eight (48) hours on a specific property, and such permit shall not be granted more than two times in one year. Searchlights shall not be permitted inside residential areas.

~~7.4.3.5~~ 7 Outdoor Storage and/or Display of Materials or Goods. The outdoor storage or display of materials or goods is prohibited in an Office (O) and Neighborhood Shopping (C-2) Zoning District.

~~7.4.3.6~~ 6 Location and Visual-Screening of Dumpsters Refuse Collection Receptacles. ~~Dumpsters Refuse collection receptacles, including dumpsters, recyclable materials collection garbage cans, debris piles, or grease containers, located on property subject to view from any residential use, any RS or RE zoning district,~~

any public park or recreation facility, or any public street, alley, or right-of-way shall be screened from view as contained herein. This provision shall also expressly apply to a significant change in location of the refuse collection receptacle. Completely screened from view by buildings, fences, walls, berms or landscape buffers that are at least as tall as the dumpster. An opening shall be provided for access for refuse collectors, provided however that the container is not visible from any street or protected property. This provision shall apply to all dumpsters, including those used for the collection and storage of recyclable materials, whether public or private. This provision shall also expressly apply to either the expansion of a use or a significant change in location of the dumpster.

A. Outdoor refuse collection receptacles shall not be located in:

1. A required front yard setback or a required exterior side yard setback;
2. In front of the front plane of the principal structure;
3. Within any required setback area required landscaping, buffer, or screening area which abuts and adjacent residential use;
4. within any area used to meet the minimum required landscaping, off-street parking, or loading areas; or
5. In any manner which obstructs or interferes with any designated vehicular or pedestrian circulation routes either on or off-site.

B. Each refuse collection receptacles shall be screened from view on all sides by a durable site-obstructing enclosure consisting of an opaque fence or wall of between six feet (6') and eight feet (8') in height. Where access to the enclosure is visible from adjacent streets for residential properties, the access shall be screened with an opaque gate of the same height. The enclosure shall be maintained in working order, and remain closed except during the trash deposits and pick-ups.

C. The lids of receptacles and screening enclosures without roof structures shall remain closed between pick-ups, and shall be maintained in working order.

~~7.4.10-3-7~~ *Soil Erosion and Sediment Control.* Soil erosion and sediment control-related measures are required for any regulated land disturbance activity, in accordance with the standards of this Section. All temporary measures and permanent erosion control and sediment control shall be maintained continuously in an effective working condition.

A. General

1. Soil disturbance shall be conducted in such a manner as to minimize erosion. Soil stabilization shall consider the time of year, site conditions, and the use of temporary and permanent measures.
2. Properties and channels located downstream from development sites shall be protected from erosion and sedimentation. At points where concentrated flow leaves a site, stable downstream facilities are required.
3. Soil erosion and sediment control features shall be constructed prior to the commencement of upland disturbance.
4. If de-watering devices are used, adjacent properties shall be protected. Discharges shall enter an effective sediment and erosion control measure.
5. For detached single-family residential development occurring one lot at a time, alternatives to the standards of this Section may be approved by the City Engineer.

B. Soil Stabilization

1. Temporary soil stabilization shall be applied to disturbed areas within 14 days of the end of soil disturbance to all areas that will not be final graded and stabilized within 45 days.
2. Permanent stabilization shall be done within 14 days of final grading of the soil. Permanent soil stabilization measures shall be applied to channels (including bed and banks) within 14 days of the end of primary disturbance of the channel.
3. Permanent or temporary vegetation shall not be considered established until sufficient ground cover is mature enough to control erosion.
4. Earthen embankments shall be constructed with side slopes with a vertical to horizontal ratio no steeper than 1:3.

C. Disturbed Areas

1. Disturbed areas draining less than 1 acre shall be protected by a filter barrier (including filter fences, straw bales, or equivalent measures) to control all off-site runoff. Vegetated filter strips

with a minimum width of 25 feet may be used as an alternative only here runoff if sheet flow is expected.

2. Disturbed areas draining more than 1 but fewer than 5 acres shall be protected by a sediment trap or equivalent control measure at a point down slope of the disturbed area.
3. Disturbed areas draining more than 5 acres shall be protected by a sediment basin or equivalent control measure at a point down slope of the disturbed area.

D. Sediment Control

1. All storm sewer facilities that are or will be functioning during construction shall be protected, filtered, or otherwise treated to remove sediment.
1. A stabilized mat or aggregate underlain with filter cloth shall be located at any point where traffic will be entering or leaving a construction site to or from a public right-of-way, street, alley, or parking area.

E. Removal of Temporary Measures

1. All temporary erosion and sediment control measures shall be removed within 30 days after final site stabilization is achieved or after temporary measures are no longer needed. Trapped sediment and other disturbed soil areas shall be permanently stabilized.

~~7.4.11.3-8~~ *Residential Protection Standards.* The residential protection standards of this section are intended to protect residential properties and neighborhoods from the adverse impacts sometimes associated with adjacent multi-family dwellings and nonresidential development, whether public or private.

A. Applicability and Exemptions. The standards of this section shall apply to all multi-family uses of three (3) or more units per structure and nonresidential development when such development occurs on a site located within 150 feet of any lot within an RS or RE district. Any lot so situated shall be considered a "protected" lot for the purposes of this section. The only exemption from these requirements that shall be considered by the Community Development Director shall be at the request of the owner or owners of the affected property or properties when stated in writing a preference for a standard which is less stringent than that which these standards would require.

B. Residential Protection Screen. Whenever a development regulated by this Section adjoins or faces property subject to these residential protection standards, the following screening shall be required:

~~A.1.~~ An opaque ornamental fence, masonry or rock wall or dense evergreen hedge or effective equivalent as approved by the Community Development Director, having a height not less than six (6) feet and not more than eight (8) feet, shall be constructed and maintained in good condition along the side and/or rear lot line up to, but not beyond the abutting residential setback building line. Where a regulated development faces any protected property with an intervening public right-of-way, an ornamental fence, masonry or rock wall or dense evergreen hedge or effective equivalent as approved by the Community Development Director, having a height not less than three (3) feet and not more than four (4) feet shall be constructed and maintained in good condition along the lot line.

~~1.2.~~ 2. In addition, a landscaped buffer, a minimum of twenty (20) feet in width shall be provided along the protected property's side and/or rear lot line. Within this buffer, one tree shall be planted for each 30 linear feet. Trees may be grouped together or evenly spaced along this buffer area. No off-street parking area, drive aisle or other physical land improvement shall occupy any part of this required landscaped buffer.

C. Loading Operations. No use subject to Residential Protection Standards may conduct loading or unloading operations between the hours of 10:00 p.m. and 6:00 a.m.

~~7.4.3.8~~ *Tree Preservation and Protection.* The following measures establish incentives for the preservation of existing trees and provide guidelines for the protection of trees during construction, development, or redevelopment.

~~A. Tree Preservation Credits.~~ For every large, mature tree (8" caliper or larger as measured one foot up from the base) preserved in an area where landscaping is required by this ordinance, the developer

~~shall be given credit for two trees as required by this ordinance. Only trees in good condition as determined by the City Planner shall be considered for credit. The landscape plan that is required to be submitted with the site plan shall include the approximate location, size (caliper and height), condition and common name of each tree to be preserved for which the applicant is requesting tree credits.~~

~~*B. Replacement of Trees.* Replacement trees will be required when any tree that was shown on a landscape plan is removed or dies. Any tree with a caliper of less than three inches shall be replaced by the same caliper of tree. Trees that are larger than three inches in caliper shall be replaced with a tree with a minimum caliper of three inches.~~

7.4.12 Service Facilities. Service facilities, to include but not limited to water supply facilities, sanitary sewers, fire protection services, and any other utility services, both on and off site, shall be provided as is necessary for the proper development of the site. The provisions of such facility shall be as regulated by the standards contained in the Subdivision Regulations for the Bartlesville-Washington County Metropolitan Planning Area. The sanitary sewer expansion fee may be imposed as applicable in accordance with Ordinance #3062.

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EXHIBIT B

AMENDED SIGN REGULATIONS

7.11 SIGNS AND SIGN STRUCTURES, INCLUDING BILLBOARDS

ARTICLE I. IN GENERAL

Sec. 7.11.1. Purpose. These regulations balance the need to protect the public safety and welfare, the need for a well maintained and attractive community, and the need for adequate identification, communication, and advertising. These regulations have the following specific objectives:

- A. To promote the creation of an attractive visual environment that promotes a healthy economy by:
 - a. Permitting businesses to inform, identify, and communicate effectively;
 - b. Preserving natural beauty and to protect property values by promoting reasonable, orderly, and effective display of business and related signs; and
 - c. Directing the general public through the use of signs while maintaining attractive and harmonious application of signs on the buildings and sites.
- B. To protect and enhance the physical appearance of the community in a lawful manner that recognizes the rights of property owners by:
 - a. Encouraging the appropriate design, scale, and placement of signs;
 - b. Encouraging the orderly placement of signs on the building while avoiding regulations that are so rigid and inflexible that all signs in a series are monotonously uniform;
 - c. Assuring that the information displayed on a sign is clearly visible, conspicuous, legible and readable so that the sign achieves the intended purpose; and
 - d. Preserving the quality of urban life in the community by assuring the compatibility of signs with surrounding land uses.
- C. To foster public safety along public and private streets within the community by assuring that all signs are in safe and appropriate locations by:
 - a. Protecting the public investment in streets and highways;
 - b. Promoting the safety and recreation value of public travel; and
 - c. Improving the safety of the citizens and visitors to the City of Bartlesville by restrictions upon the size and location of certain types of signs or by the elimination of certain types of signs.
- D. To have administrative review procedures that are the minimum necessary to:
 - a. Balance the community's objectives and regulatory requirements with the reasonable advertising and way finding needs of businesses.
 - b. Allow for consistent enforcement of the Sign Code.
 - c. Minimize the time required to review a sign application.
 - d. Provide flexibility as to the number and placement of signs so the regulations are more responsive to business needs while maintaining the community's standards.

Sec. 7.11.2 Requirements of General Applicability

A. Exempted Signs: The following signs are exempt from these regulations.

1. Any public purpose/safety sign and any other notice of warning required by a valid and applicable Federal, State or local law, regulation or resolution.
2. Integral, decorative or architectural features of a building, or works of art that do not include a commercial message.
3. Insignia of governmental or nonprofit organizations when not displayed in connection with a commercial promotion or as advertising.
4. Religious and other holiday lights and decorations containing no commercial message, and displayed only during the appropriate time of the year.
5. Flags of the United States, the State of Oklahoma, and any other flag adopted or sanctioned by the Bartlesville City Council or Washington County Board of Commissioners. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes.
6. Historic Landmark Signs, as defined in Section 7.11.3.
7. Building and street address markers.
8. Tablets, grave markers, headstones, statuary or remembrances of persons or events that are noncommercial in nature and tablets such as memorials or cornerstones, provided such are not located on public right-of-way.
9. The name, date of erection and use of building when built into its walls.

B. Prohibited Signs: The following signs are prohibited.

1. Abandoned signs, as defined in Section 7.11.3.
2. Snipe signs as defined in Section 7.11.3, and all other signs located on trees, utility poles, public benches or any other form of public property or within any public right-of-way unless explicitly permitted by the regulations. The person, business, or organization who owns or is advertised or identified on the sign shall be presumed to have permitted the placement of the sign in the absence of evidence to the contrary. Snipe signs are hereby declared to be abandoned property and are subject to being removed by any person.
3. Human signs, as defined in Section 7.11.3, when located on public right-of-way or public property.
4. Any sign which includes animation, any visible moving part, osculating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that move, change, osculates, or visibly alters in appearance in a manner that is not permitted by these regulations.
5. Portable signs, as defined in Section 7.11.3.
6. Animated, moving, flashing, or rotating signs; Three-dimensional (3D) objects, such as vehicles, animals, instruments or other figures; propellers, wind-powered or other similar devices or objects; Inflatable signs, 3-D free form, or similar irregular inflatable objects, tethered balloons larger than twelve inches (12") in diameter, air-dancers, streamers, searchlights, strobe lights, and any clearly similar features; except those specifically exempt from regulation in Section 7.11.2(A), or signs permitted as temporary signs or electronic message centers as regulated herein.
7. Any sign or portion of a sign which includes an electronic full-motion video display which may or may not include text, including televisions screens, plasma screens, digital screen, flat screens, LED screens, tri-vision technology, video boards and holographic displays.

8. Signs in the bed of a truck, deck of a truck or trailer, or otherwise on a vehicle when the vehicle is placed in a location not normally expected for such vehicles, and the location apparently has the primary purpose of attracting attention or providing advertising.
9. Signs located on a fence unless otherwise permitted by the provisions of this Section as a permanent or temporary sign.
10. Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals.
11. Merchandise, equipment, products, vehicles or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes.
12. Any sign erected upon a roof, parapet, or roof-mounted equipment structure and extending above a roof, parapet, or roof-mounted equipment structure of a building or structure.
13. Any sign which shall be configured to resemble a warning or danger signal or to cause a driver to mistake the sign for a warning or danger signal; any revolving beam or beacon of light resembling any emergency vehicle light or any sign made to resemble a traffic control sign, or other signs or attention getting devices that raise concerns substantially similar to those listed above.
14. Any sign constructed of corrugated plastic, fabric, cloth, canvas, foam board, paper, cardboard, poster board, thin-gauge aluminum less than 1/8" thick, engineering wood products including plywood, chipboard, particle board, medium density fiberboard, oriented strand board, or similar products or other materials not specifically manufactured for the purpose of signage, unless otherwise approved by the Community Development Director.
15. Other Prohibited Signs:
 - a. Throwing, dropping, placing, or distributing handbills or other advertising matter upon the sidewalks, streets, alley, or other public places.
 - b. Throwing or placing any circulars, handbills, samples, sticker, placard, poster, or other advertising matter in or on any motor vehicle.
 - c. Any person, business, or organization which is advertised or identified on such signs shall be presumed to have permitted the placement of the sign in the absence of evidence to the contrary.

C. *Signs which do not require a sign permit.* The following signs shall not require a permit. However, they shall conform to any applicable sections of this ordinance or any other applicable codes, regulations, or ordinances adopted by the City of Bartlesville.

1. On-premise signs not visible from public streets.
2. On-premise perforated window graphics or mesh window graphics with an opacity of 50% or less.
3. All non-regulated on-premise signs or signs equal to or less than three (3) square feet in area per sign or six square feet in area total, in any residential district.
4. Signs on a truck, bus, car, boat, trailer or other motorized vehicle and equipment provided all the following conditions are adhered to:
 - a) Primary purpose of such vehicle or equipment is not the display of signs.
 - b) Such signs are magnetic, decals, or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and do not break the silhouette of the vehicle.
 - c) Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of the business to which such signs relate.

- d) Vehicles and equipment are not used primarily as static displays, advertising a product or service, nor utilized as storage or shelter.
 - e) During periods of inactivity exceeding forty-eight (48) hours, such vehicles/equipment are not so parked or placed that the signs thereon are displayed to the public. Vehicles and equipment engaged in active construction projects and the on-premise storage of equipment and vehicles offered to the general public for rent or lease shall not be subjected to this condition.
4. Political signs, provided that such signs shall be removed within three (3) days after the election to which they refer. All such signs which do not exceed three (3) square feet may be located within the public right-of-way provided sight visibility for traffic along the abutting roadway is not impaired. Any such sign which exceeds three (3) square feet in area shall be placed on private property with approval of the property owner. Further, candidates or organizations indentified on political signs shall be held responsible for compliance.
 5. Nameplates, street address signs, and combination nameplate and street address signs containing no advertising copy, not exceeding two (2) square feet in area and limited to one (1) per street front per use for residential uses.
 6. Street address signs, wall-mounted nameplates and wall-mounted combination nameplate and street address signs containing no advertising copy and not exceeding (6) six square feet in area for non-residential uses.
 7. Changing copy on a legal sign, either freestanding or attached; normal sign maintenance where no structural changes are made; or the changing of the interchangeable letters on signs designed for them. Change on any sign when an increase in square footage occurs shall require a permit.
 8. Temporary, non-illuminated real estate signs, measuring not more than six (6) square feet in area, advertising the sale or rental of premises on which the sign is located. Such sign may remain on the property for a continuous period not to exceed 10 days following the sale of the property. In addition, one "Open House" sign may be placed on the property on the day of the open house only. Directional signs on private property with consent of the property owner may be utilized within the Bartlesville city limits on the day of an open house for a period of eight (8) hours or less. Directional signs on private property with consent of the property owner may be utilized outside the Bartlesville city limits during the sale of the property provided such signs are removed within ten (10) days following the sale of the property.
 9. Temporary, non-illuminated signs not over forty (40) square feet in area, erected in connection with new construction work when displayed only during the actual construction work. Such signs shall be on the construction site and may identify the architects, engineers, contractors, and other firms involved in the construction and may advertise any product or the character or proposed use of the building. (See also Section 7.11.5.B for a larger sign.)
 10. Temporary, non-illuminated on-premise signs advertising "help wanted" or "now hiring", measuring not more than six (6) square feet in area, to be displayed for a period not to exceed three (3) months with a period of one (1) month between signs.
 11. A barber pole, animated or not, which is appurtenant to the barber business and affixed directly to the wall of the exterior of the occupied space. Barber poles shall be no taller than thirty-six (36)

inches and no wider than ten (10) inches, and shall be located so as to not interfere with or pose a hazard to pedestrians.

12. A balloon sign, with or without a message, of twelve (12) inches or less in diameter, tethered in a fixed location with a maximum height of twelve (12) feet, as measured from the grade of the nearest pavement or top of pavement curb, and displayed for no more than two (2) days per week.
13. Temporary seasonal banners hung from parking lot light standards on private property of non-residential property, provided the banner does not refer to a specific business, product, or sale.

Sec. 7.11.3. Definitions. The following words and phrases used in these Regulations shall have the following meanings:

Abandoned Sign. A sign which for a period of at least 180 consecutive days or longer no longer advertises or identifies a legal business establishment, product or activity.

Alteration. Any change in size or shape, which changes appearance of a sign, or a change in position, location, construction or supporting structure of a sign, except that a copy change on a sign is not an alteration.

Animation/Animated Sign. The use of action, motion, or color changes, or the optical illusion of action, motion or color changes, including a sign set in motion by movement of the atmosphere, or made up of a series of sections that turn, whether such movement or rotation is by human energy, mechanical or electronic means.

Area of Sign. Refer to measurement standards in Section 7.11.4.

Attached Sign. Any sign attached directly to a building other than temporary signs. Building signs include, but are not limited to, awning sign, building identification sign, canopy sign, marquee sign, mural, projecting sign, wall sign, and window signs.

Attraction or Reader Board. Any sign having changeable copy for the purpose of advertising events, sales, services or products provided on the site. Attraction or reader boards shall be classified as a electronic message center (EMC) or a changeable copy sign (CCS).

Awning. A shelter extending from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

Awning Sign. Any sign painted on or attached to or supported by an awning.

Balloon Sign. A gas-filled balloon, tethered in a fixed location, that has a sign with a message on its surface or attached in any manner to the balloon.

Banner Sign. A temporary, lightweight sign that contains a message which is attached or imprinted on a flexible surface that deforms under light pressure and that is typically constructed of non-durable materials.

Billboard. An off-premises sign.

Building Identification Sign. Any sign containing the name or address of a building and may include hours of operation and emergency information, such sign being located on the same site as the structure.

Canopy. A permanent roof-like shelter extending from part or all of a building or independent of a building, including any rigid material or cloth or fabric supported by a structural frame.

Canopy Sign. A sign that is permanently affixed to a canopy.

Changeable Copy Sign (CCS). A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means (for example, time and temperature units), or manually through placement of letters or symbols on a panel mounted in or on a track system.

Comprehensive Sign Plan (CSP). A coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site. The sign program shall include, but not be limited to, indications of the locations, dimensions, colors, letter styles and sign types of all signs to be installed on a site.

Construction Sign or Project Development Sign. A temporary non-illuminated sign used to advertise or display contact information of property owners, opening dates, architects, contractors, engineers, landscape architects and/or financiers, who are engaged with the design, construction, improvement of financing of a residential subdivision with homes under construction within the subdivision to which it pertains or with a commercial project to which it pertains. Such signs are generally constructed of wood, metal or other similar materials. A construction sign or project development sign may include zoning information and advertise or announce future development on the site, however, in no case, shall such sign contain information that pertains to an off-premise use.

Directional Sign. A permanent instructional sign located on private property at or near the public right-of-way, directing or guiding vehicular traffic onto the property and/or toward parking or other identified locations on the property.

Electronic Message Center (EMC). A sign or portion of a sign that utilizes computer-generated messages or some other electronic means of changing copy, words, text, symbols, figures, or images by remote or automatic means, wherein the sequence of messages and rate of change is electronically programmed and can be modified by electronic process.

Freestanding Sign. A permanent sign that is affixed in or upon the ground, self-supporting by one or more structural members which may include a sign structure, fence or wall that is not an integral part of a building, in a fixed location and not attached to a building. Freestanding signs include, but are not limited to, monument signs and pole signs.

Footcandle. A measure of illumination on a surface that is one foot from a uniform source of light of one candle and equal to one lumen per square foot.

Flashing. Flashing shall mean a pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated, employs inverse illumination, or operates with transitory bursts for periods of less than three (3) seconds for an alternating or changing message or less than six (6) seconds for a single message. This term shall include blinking, strobe, and twinkling illuminations. Animation, as defined, shall not fall under the definition of flashing.

Governmental Sign. A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulation.

Grade. The ground level of the site at the property line located at the closest distance to the sign.

Height of Sign. Refer to measurement standards in Section 7.11.4.

Historic Landmark Sign. An existing sign, that by its construction materials, unusual age, prominent location, unique design, or craftsmanship from another period, contributes to the cultural, historic, or aesthetic quality of the city's streetscape, and for such reason should be protected, preserved, and restored. Historic landmark signs are exempt from these Regulations.

Holiday Decorations. Signs or displays including lighting which are a non-permanent installation celebrating national, state, and local holidays or holiday seasons.

Human Sign. A sign that is carried, waved, held by, or otherwise attached to a person, and/or a person dressed in costume or other article of clothing, for the purposes of advertising or otherwise drawing attention to business, commodity, service or product.

Illegal Sign. Any sign placed without proper approval or permits as required by this Code at the time of sign placement. Illegal sign shall also mean any sign placed contrary to the terms or time limits of any permit and any nonconforming sign which has not been brought into compliance with any applicable provisions of this Code.

Illuminated Sign. Any sign for which an artificial source of light is used in order to make readable the sign's message, including internally and externally lighted signs and reflectorized, glowing or radiating signs.

Incidental Sign. A sign that provides functional or instructional information, as determined by the Community Development Director, that is incidental, supplemental, or accessory to a permitted use on the site, such as entrance, exit, telephone, restrooms, etc. Such signs shall not be included in the permitted sum of the sign area of identification signs, provided such sign is not larger than necessary to serve the intended instructional purpose, and such sign is not in a location, nor includes design characteristics, including commercial copy or company logos, that constitute or serve the purposes of an identification sign.

Logo, Logogram, or Logotype. An emblem, letter, character, pictograph, trademark, or symbol used to represent any firm, organization, entity, or product.

Lot Frontage. The length of the property line abutting a public street.

Marquee. A permanent roof-like canopy or projection extending from part or all of a building face and constructed of some durable material which may or may not project over a public right-of-way. Commonly found over the entrance of a theater or hotel. See example in Section 7.11.6.D.2.

Marquee Sign. Any sign painted on or attached to or supported by a marquee. See example in Section 7.11.6.D.2.

Monument Sign. A freestanding sign that is detached from a building and having a solid-appearing support structure which is at least seventy-five percent (75%) the width of the sign face, constructed of a permanent material, such as concrete block or brick.

Mural, Sign. A picture on an exterior wall or surface of a building or structure which is intended to convey information to the public promoting or advertising a business, individual, product, or service through the use of text, language, logo, numerals, symbols, or pictorial depiction. See also definition of Super Graphic Sign.

Neon Sign. A sign with tubing that is internally illuminated by neon or other electrically charged gas.

Nonconforming Sign. A sign which was validly installed under laws or ordinances in effect at the time of its installation, but which is in conflict with the current provisions of this Code.

Off-Premises Sign. Any sign used for promoting an interest other than that of a business, individual, products, or service available on the premises where the sign is located, including, but not limited to a billboard.

On-Premises Sign. Any sign used for promoting a business, individual, product or service available on the premises where the sign is located.

Opacity. Restricting transmission of light, expressed as a percentage of light blocked.

Pole Sign. A freestanding sign that is detached from a building that is supported by one or more structural elements that together are less than one-third (1/3) the width of the sign face.

Political and Noncommercial Signs. Any sign designed for the purpose of supporting or opposing a candidate, proposition or other measure at an election or for any other noncommercial expression not related to the advertisement of any product or service or the identification of any business.

Portable Sign. Any movable sign not permanently attached to the ground or a building and easily removable using ordinary hand tools; Any sign which is intended to be movable or capable of being moved, whether or not on wheels or other special supports, with or without lights, with or without arrows, commonly available on a crossbar stands or trailer so as to be capable of being pulled by a motor vehicle from one location to another, typically containing single or double-sided polycarbonate faces with changeable letters or numbers within tracks.

Private Street. Primary access ways that are intended to provide vehicular access to multiple commercial businesses and/or ownerships and are not dedicated as a public thoroughfare.

Projecting Sign. A sign which projects from and is supported by a wall or parapet of a building with the display surface of the sign in a plane perpendicular to or approximately perpendicular to the wall.

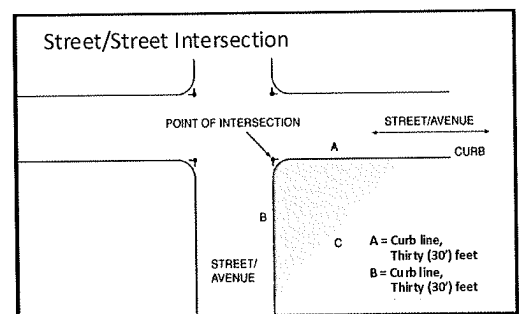
Real Estate Sign. Any non-permanent sign pertaining to the sale, exchange, lease, rental, or availability of land, buildings, condominium and similar units, or apartments. Such signs may include building name and address, price and amenities, identity of seller or broker, and similar information.

Revolving or Rotating Sign. An animated sign. See definition of animation/animated sign.

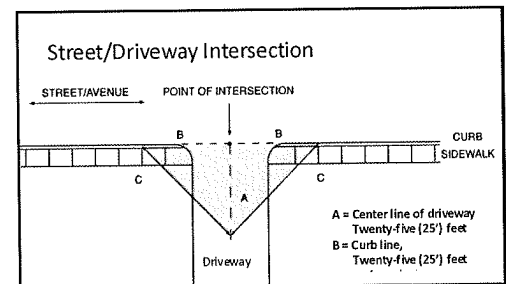
Sandwich Board Sign. Also known as an A-frame sign shall be defined as a portable sign or structure composed of two (2) sign faces mounted or attached on one side so as to form a basically triangular vertical cross section through the faces allowing the sign to stand in an upright position.

Sight Triangle. Located at the intersection of two public streets, or at the intersection of a public street and a private driveway, a triangle formed as follows:

- a. Street/Street Intersection: Measuring from the point of intersection of the front and side lot lines a distance of 30' along said front and side lot lines and connecting the points so established to form a sight triangle on the area of the lot adjacent to the street intersections.



- b. Street/Private Driveway Intersection: Measuring from the point of intersection of the front lot line and the sides along the driveway a distance of 25' along each and connecting the points so established to form two sight triangles on the area of the lots adjacent to either side of the private driveway.



Sign. Any object, graphic representation, or device visible from the right-of-way of a sidewalk, street or highway, which is used to advertise, identify, inform, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, graphics, figures, designs, symbols, fixtures, colors, motion, illumination or projected images, together with the frame, background, and supports, braces, guys, or anchoring thereof, and any electrical components.

Sign Face. An exterior display surface of a sign including non- structural trim exclusive of the supporting structure.

Site. All the contiguous ground area legally assembled into one development location which is a zoning lot, which is defined as a permanent parcel (lot of record), multiple lots of record, or a portion of a lot of record.

Snipe Sign. Any sign of any materials, including, but not limited to, paper, cardboard, wood or metal when tacked, nailed, or attached in any way to trees, poles, stakes, fences or other objects where such sign may or may not be applicable to the present use of the premises upon which the sign is located.

Special Event Sign. Any temporary sign advertising or pertaining to any civic, patriotic or special event of general public interest.

Street Frontage. The distance of the linear frontage of a lot or lots along a public street which provides a public access thereto.

Supergraphic Sign. A painted design which covers all or a major portion of a wall, building, or structure which is intended to convey information to the public promoting or advertising a business, individual, product, or service through the use of text, language, logo, numerals, symbols, or pictorial depiction. See also definition of Mural Sign.

Temporary Sign. Any sign intended to display or convey a message of a transitory or temporary nature, that is not permanently affixed to a building, structure, or ground.

Vehicle Sign. Any sign permanently or temporarily attached to or placed on a vehicle or trailer.

Wall Sign. Any sign attached to or painted on the wall of a building or structure in a plane parallel or approximately parallel to the plane of said wall and that projects not more than eighteen (18) inches from the building or structure wall. Also includes signs affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building façade or to the face or faces of the architectural projection to which it is affixed.

Window, Area of. The area of a single window includes all of the window panes in an area that is separated by mullions, muntins, or other dividers which are less than four (4) inches wide.

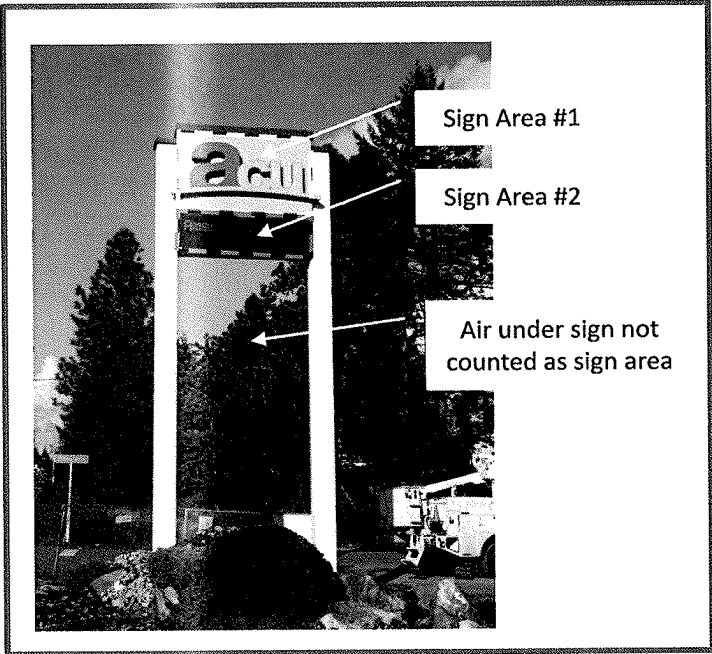
Window Sign. Any sign, excluding open and closed and/or business hours signs, which are viewable through and/or affixed in any manner to a window or exterior glass door such that it is intended to be viewable from the exterior (beyond the sidewalk immediately adjacent to the window), including signs located inside a building, but visible primarily from the outside of the building. A window sign is considered an attached sign. Any on-premise perforated window graphic or mesh window graphic with an opacity of 50% or less shall not be considered a window sign and does not require a sign permit as provided in Section 7.11.2.C.

Sec. 7.11.4. Measurement Standards

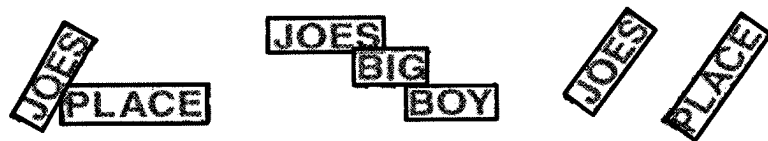
A. Determining Sign Area and Dimensions

1. For a sign which is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area and dimensions shall include the entire portion within such background or frame and shall be based upon the outer dimensions of the frame or cabinet.

2. For a sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, the area and dimensions of the sign shall encompass a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, the frame, and any applied background that is not part of the architecture of the building. When separate elements are organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display areas, including the space between different elements.



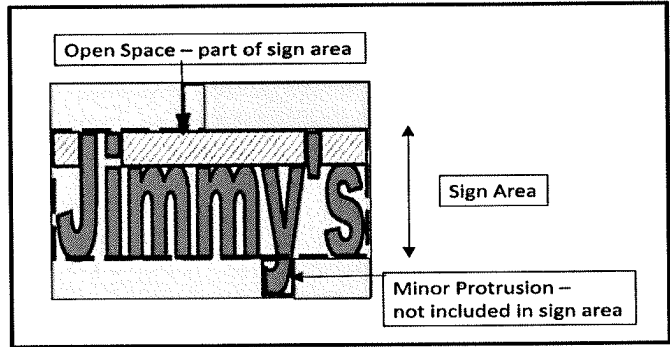
INDIVIDUAL LETTERS



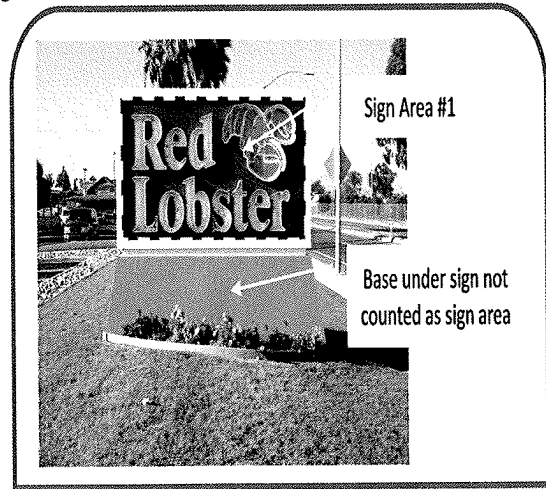
WITHIN A CABINET FRAME



3. Minor appendages to a particular regular shape, such as an apostrophe, as determined by the Community Development Director, shall not be included in the total area of a sign.

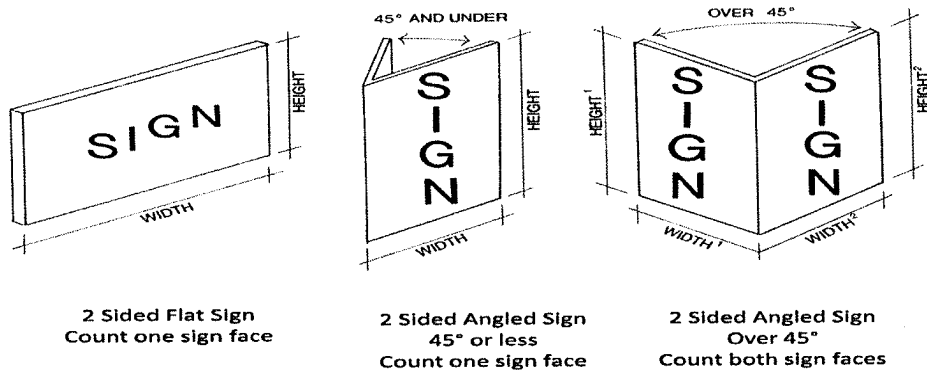


4. For a freestanding sign, the sign area shall include the frame, if any, but shall not include:
 - a. A pole or other structural support unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device, or a part of a display device.
 - b. Architectural features which contain no lettering or logos, that are either part of the building or part of a freestanding structure, and are not an integral part of the sign, and which may consist of landscaping, building or structural forms complementing the site in general.



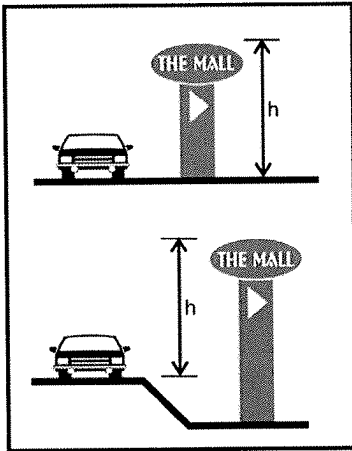
5. Multi-faced Signs: The sign area for a sign with more than one face shall be determined by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back or at an angle of forty-five (45) degrees or less, and when such sign faces are part of the same sign structure, the sign area shall be determined by the measurement of one of the faces. Where the two (2) sides of a multi-faced sign are not of equal size, the larger of the two (2) sides is used to determine the sign area.

Multi-Faced Signs

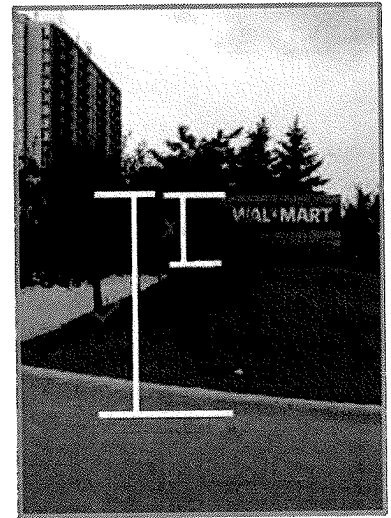


B. Determining Sign Height

1. The height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign, except as provided in the following paragraph. A freestanding sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb.



2. Where a freestanding sign or sign structure is mounted along a roadway that has a higher grade level as compared to the grade level directly below the freestanding sign or sign structure, then the freestanding sign or structure's height will be measured from the roadway grade level to the highest point of the freestanding sign or sign structure.

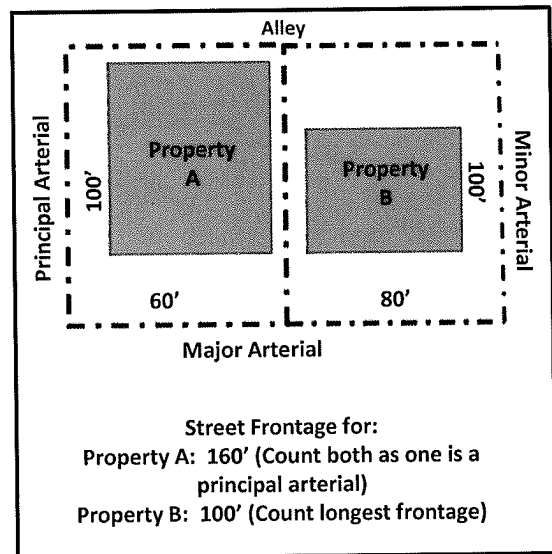


3. Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.

C. Determining Street Frontage

Street frontage is that portion of a lot or parcel of land that borders a public street from which public access is provided. Street frontage shall be measured along the common lot line separating said lot or parcel of land from the public street, highway, or parkway.

1. Where a lot has public access from more than one street frontage, the linear footage of each frontage shall be calculated separately for the purposes of determining allowable sign area as provided for herein. Public access from an alley shall not be included in the measurement of street frontage.
2. For multi-tenant buildings, street frontage is equivalent to the primary frontage of the tenant space on the first floor as measured from the centerline of the party walls. This shall be the basis for determining the permissible sign area for attached signs for each tenant space, unless otherwise directed by the lot owner. The Community Development Director may exclude any wall length of a building frontage that is clearly unrelated to the frontage criteria.



ARTICLE II. ON-PREMISE SIGNS

Sec. 7.11.5. Residential Districts. On-premise signs are allowed as follows in all residential zoning districts:

A. Permanent Signs.

1. Residential developments and subdivisions and institutional uses permitted by right within a residential zoning district shall be permitted freestanding monument identification signs as follows.
 - a. Each development may locate a monument sign at each major entrance on private property, not to exceed thirty-two (32) square feet in sign area, to identify the overall development.
 - b. Monument signs shall be set back from the property line such a distance as is necessary to avoid location within the required sight triangle as defined in Section 7.11.3.
 - c. Monument signs shall not exceed eight (8) feet in height.
 - d. Walls attached to monument signs or within several feet of a monument sign are allowed and may include the name of the project, however, said wall shall not exceed four (4) feet in height.
 - e. The name of the development shall be in individually applied lettering and with external illumination only.
 - f. Residential subdivisions may include a monument sign within a median area at an entry if such monument signs are located within a platted public right-of-way within a signage easement as identified on the recorded plat thereof, and if the Homeowners Association for said subdivision assumes, in writing, all costs and responsibilities for the maintenance of said monument sign.
 - g. All such signs shall be externally illuminated, except signs for institutional uses which may be internally illuminated, provided it is made by constant light, and does not exceed seventy (70) foot candles as measured at a distance of two (2) feet from the source of light.



2. Electronic message centers (EMC) are prohibited in residential zoning districts, except for institutional uses permitted by right, which are permitted an electronic message center subject to the following restrictions:

- a. Shall comprise no more than 50 percent or 16 square feet of the overall sign area of the sign structure, whichever is less;
- b. Display shall stay constant for a period no less than twelve (12) seconds, shall transition between messages and/or message frames instantly, and does not appear to change, travel, scroll, flash, spin, rotate, fade, dissolve, move, vary color, or vary light intensity;
- c. Shall be equipped with auto-dimming technology that automatically dims as light conditions change, from sunset each night to sunrise the next morning, resulting in a maximum light emanation as measured from the nearest residential property line of no more than 0.2 footcandles over ambient lighting conditions; or shall be completely turned off between the hours of 10:00 p.m. and 6:00 a.m., seven days a week.



3. Home occupations in residential districts are permitted signage as set forth in the Zoning Regulations.

B. Temporary Signs.

1. Real Estate Signs. See Section 7.11.2.C.8.
2. Construction Signs or Project Development Signs. One (1) non-illuminated sign (as defined in Section 7.11.3) not exceeding ninety-six (96) square feet in area or twelve (12) feet in height may be placed along each major street frontage for a residential subdivision which is in the process of development and initial sales. Such signs shall be removed after completion of the last house or when eighty percent (80%) of the lots have been sold, whichever occurs first. Signs of forty (40) square feet or less are permitted without a permit as per Section 7.11.2.C.9.
3. Special Event Signs. A sign advertising or pertaining to any civic, patriotic, or special event of general public interest for noncommercial purposes.
 - a. Limited to one (1) per street frontage and located on the same zoning lot as the event is to take place. (See also Off-Premise Signs)
 - b. May be erected and maintained for a period not to exceed thirty (30) days and shall be removed within three (3) days of the termination of such event.

Section 7.11.6. Non-Residential Districts. The standards for permanent on-premise signs in non-residential districts as set forth herein are based primarily upon a sign's function, its placement on the building or site, the amount of time the motorist has to view the sign, and the distance from which the sign will be viewed.

The following standards, criteria, and provisions apply to all permanent on-premise signs in non-residential districts and recognize the fact that signs are an important factor in the success of a business, and that the regulation of signs must balance both public and private interests. Numerous interrelated factors contribute to whether a sign is able to fulfill its primary purpose: to be able to be read by its intended audience, generally the passing motorist. Key among those factors is sign design, which includes elements such as letter height, color, style, spacing of lettering or logos, color contrasts between the message and the background, and lighting, which is not regulated herein. Other factors, such as sign location and size, which are critical in determining the visibility and legibility of signs, and which are regulated herein, are based upon reasonable parameters for design that incorporates the normal range of words and elements that are needed to permit signs to be read by their intended audience. Generally, the smaller signs will be associated with lower speed limits and the larger signs associated with higher speed limits.

The standards contained herein for permanent on-premise freestanding and attached signs are based upon the linear street frontage of the lot and the functional classification of the abutting street, as identified by the most current version of the Bartlesville Street Functional Classification Map maintained by the City of Bartlesville Community Development Department. Where uncertainty exists as to the functional classification of the street, such classification shall be determined by the Community Development Director based upon criteria of the existing street to include, but not limited to, speed limit, type of traffic, traffic counts, number of traffic lanes, and type, number, and size of access to abutting properties.

Exception: Sites located within the Downtown Redevelopment District may contain more restrictive provisions. Additionally, sites zoned PUD (Planned Unit Development) are required to submit a Comprehensive Sign Plan (CSP) as part of the PUD approval process.

A. Maximum Number of Permanent On-Premise Signs for Non-Residential Districts

There is no maximum number of permanent signs for either freestanding or attached signs. A lot may have any number of signs provided such signs comply with the maximum sign area, height, separation, and any other applicable requirements as set forth herein.

B. Maximum Size of Permanent On-Premise Signs for Non-Residential Districts

1. The following table identifies by sign type the maximum square footage of sign area permitted per sign.

Table 1. Maximum Size of On-Premise Permanent Signs

STREET FUNCTIONAL CLASSIFICATION	FREESTANDING SIGNS (1)		ATTACHED SIGNS (3)	
	Total Sign Area for each Linear Foot of Street Frontage (2)	Max Sign Area Per Sign (square feet)	Total Sign Area for each Linear Foot of Street Frontage (2)	Max Sign Area Per Sign (square feet)
Principal Arterial (4)	2.0 sf ²	200 ft ²	2.0 sf ²	200 ft ² max
Major Arterial	1.75 sf ²	175 ft ²	1.75 sf ²	175 ft ² max
Minor Arterial	1.50 sf ²	150 ft ²	1.50 sf ²	150 ft ² max
Major Collector	1.25 sf ²	125 ft ²	1.25 sf ²	125 ft ² max
Minor Collector or Local Street	1.0 sf ²	100 ft ²	1.0 sf ²	100 ft ² max

(1) Freestanding signs include, but are not limited to monument and pole signs.

(2) Refer to Section 7.11.4.C.

(3) Attached signs include, but are not limited to awning, building identification, canopy, marquee, mural, projecting, wall, and window signs.

(4) Includes properties located within 1,000 feet of a principal arterial which has limited access to such principal arterial.

2. Transfer of Allowed Sign Area from Freestanding to Attached Signs. A property owner may increase the total maximum sign area for attached signs by transferring up to 25% of the total sign area allowed for freestanding signs, if a reduced size freestanding sign is used. If no freestanding sign is used, a property owner may transfer up to 50% of the total sign area allowed for freestanding signs to attached signs. However, in no case shall any portion of the allowed sign area for attached signs be transferred to freestanding signs.

C. Maximum Height Limit for Permanent On-Premise Freestanding Signs

The maximum height for an on-premise permanent freestanding sign is based upon the functional classification of the abutting roadway. Except as otherwise provided in this Section, no freestanding sign shall exceed the maximum height as provided in the following table.

Table 2. Maximum Height for On-Premise Permanent Freestanding Signs

Roadway Functional Classification	Maximum Height in Feet (1)
Principal Arterial (2)	30
Major Arterial	25
Minor Arterial	20
Major Collector	15
Minor Collector or Local Street	10

- (1) Refer to Section 7.11.4.B.
- (2) Includes properties located within 1,000 feet of a principal arterial which has limited access to such principal arterial.

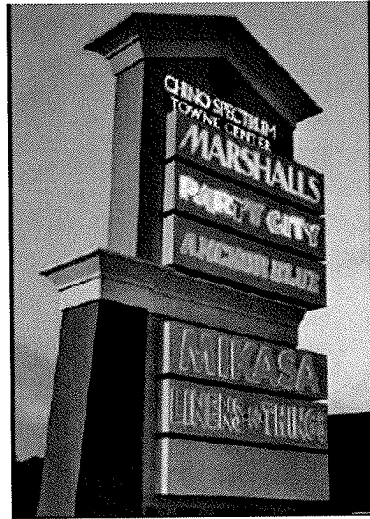
D. Additional Provisions Pertaining to Sign Types.

1. Freestanding Signs.

- a. No portion of a freestanding sign shall be in, or project over, a public right-of-way.
- b. No portion of a freestanding sign shall be located within one hundred (100) feet of any lot which is zoned RE, RS, RM, or RT.
- c. No portion of a freestanding sign shall be located within a sight triangle as defined in Section 7.11.3 of these Regulations or in any manner which creates a sight obstruction between forty-two (42) inches and eight (8) feet above the existing grade for a distance of fifteen (15) feet from any intersection of driveway as measured along the property line.
- d. No sign shall be erected that interferes or obstructs traffic flow or vehicular vision.
- e. Freestanding signs may also contain an electronic message center or changeable copy sign subject to the restrictions identified within sub-section 3 below.
- f. If more than one (1) on-premise freestanding sign is located on a site, there shall be a minimum spacing of one hundred fifty (150) feet between any two signs.
- g. When more than one (1) user occupies a zoning lot, the owner of the lot shall be responsible for allocating permitted freestanding signs among the users.
- h. Monument Sign Bonus. In order to promote a more aesthetic attractive appearance of freestanding signs within the community, a bonus is offered to encourage the installation of monument signs over pole sign, as follows:
 - 1) The area of any freestanding sign may be increased by fifteen percent (15%) when the freestanding sign is constructed as a monument sign, rather than a pole sign, with at least fifty percent (50%) of the sign structure comprised of brick, stone, or architectural block.
 - 2) The area of any freestanding sign may be further increased by an additional ten percent (10%) if said monument sign is placed within a landscaped area. The landscaped area shall contain a minimum of two (2) square feet for each square foot of the sign area.



Pole Sign



Multi-Tenant Sign



Monument Sign

2. Attached Signs.

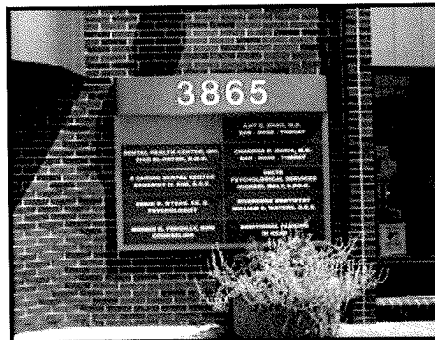
- a. No portion of an attached sign shall be located within 100-feet of any lot which is zoned RE, RS, RM, or RT.
- b. Attached signs of any type shall not extend more than twelve (12) inches above the roof or parapet line of a building.
- c. For multi-tenant buildings, street frontage is equivalent to the primary frontage of the tenant space on the first floor as measured from the centerline of the party walls. This shall be the basis for determining the permissible sign area for attached signs for each tenant space, unless otherwise directed by the lot owner.
- d. Attached signs may also contain an electronic message center or changeable copy sign subject to the restrictions identified within sub-section 3 below.
- e. Attached signs may be located upon any building wall or facade which is visible from a public street (excluding alleys) or from any public parking lot, except where prohibited in 2a. above.
- f. Attached signs can include any of the following type of signs subject to the following restrictions. Each building or tenant may have multiple attached signs provided the total square footage of all attached signs does not exceed the maximum area permitted in Section 7.11.6.B above.
 - 1) *Projecting signs* when designed and placed for the purpose of identifying the businesses for a pedestrian walking along the same side of the street as the business they seek or under a continuous rain canopy projecting from the building. Projecting signs shall have a maximum area of thirty (30) square feet; the bottom of the sign shall be a minimum of eight (8) feet above the sidewalk; the sign shall not project more than five (5) feet from the wall of the building on which the sign is placed; and the adjacent projecting sign shall not be closer than twenty (20) feet.
 - 2) *Building directory signs* for the purpose of identifying first floor tenants that do not have outside building frontage or upper floor tenants permitted up to a maximum of eight (8) square feet
 - 3) *Marquee, Canopy and Awning Signs* shall have a minimum clearance of eight (8) feet over the ground level unless projecting over a vehicular right-of-way, in which case clearance shall be fourteen (14) feet.

- 4) *Mural or Supergraphic Signs* shall be limited to only one wall, façade, face, or surface of a building.
- 5) *Wall Signs* shall not project more than eighteen (18) inches from the building or structure wall to which it is attached and shall not be greater than eighty percent (80%) of the length of the tenant space or the length of the building frontage for single tenant buildings. The area of any wall sign may be increased by twenty-five percent (25%) when the building is setback at least two hundred (200) feet from the public right-of-way and may be further increased an additional twenty-five percent (25%) for each additional two-hundred (200) feet of setback, or fraction thereof, up to a maximum increase of one hundred percent (100%). Wall signs may be placed upon any building wall which can be viewed from a public right-of-way, provided it does not face the front, side or rear lot line of any abutting lot in any RS, RE, RM, or RT district.
- 6) *Window Signs* shall not exceed fifty percent (50%) of the window surface area on which it is placed or through which it is viewed, however, window signs that are not visible from the abutting public street shall not be counted as an attached sign.

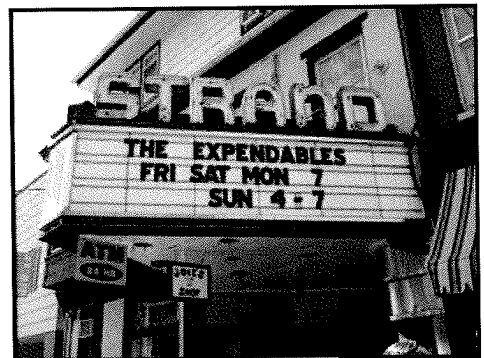
Examples of Attached Signs:



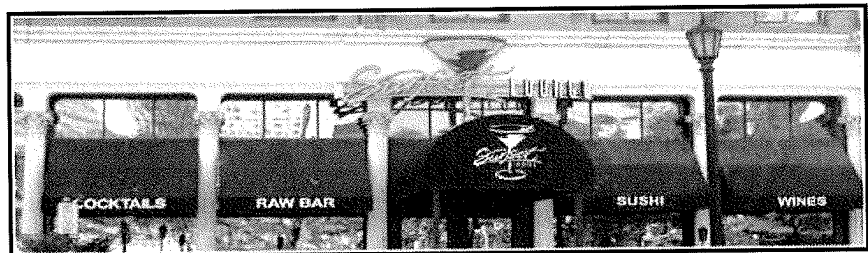
Projecting Sign



Building Directory Sign

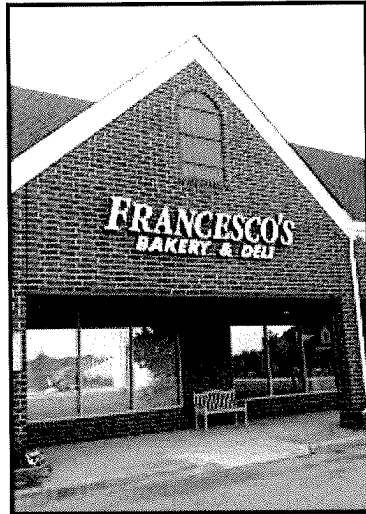


Marquee

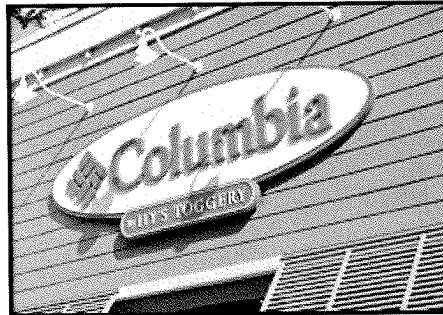


Canopy or Awning Sign

Examples of Attached Signs:



Wall Signs



Window Sign



Mural Sign



Supergraphic Sign

3. Electronic Message Center/Changeable Copy Signs.

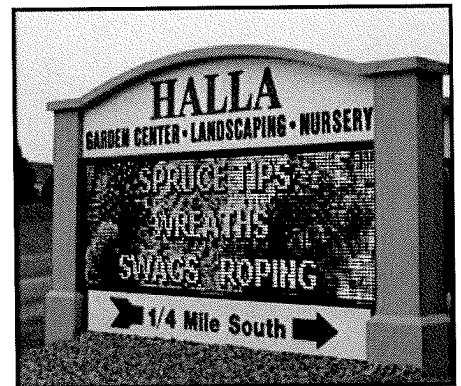
- a. Electronic message centers (EMC) and changeable copy signs (CCS), both electronic and non-electronic, may be utilized on any permitted sign, whether freestanding or attached, and shall be counted towards sign area limitations applicable to the subject site, and subject to the additional limitations established herein.
- 1) EMCs may convey its message through either static or alternating message as set forth herein. Animated messages, extended video messages, flashing, or rapid scrolling, and strobe lights are prohibited.
 - 2) Audio messages, and emissions of smoke, fumes, and vapors are prohibited.
 - 3) EMCs and CCSs in stadiums or sports fields are not considered signs if they are oriented inward to the playing field.
 - 4) The commercial content of EMCs and CCSs is limited to on-site advertising only, however, EMCs and CCSs may also contain a non-commercial message, such as time and temperature.
 - 5) Only one EMC or CCS sign is permitted on a zoning lot for each street on which the development fronts and the sign is visible, unless additional EMCs or CCSs are approved by the Metropolitan Area Planning Commission as part of a Comprehensive Sign Plan (see Section 7.11.6.F below).
 - 6) Any EMC located within one hundred fifty (150) feet of a lot which is zoned RE, RS, RM, or RT district shall be equipped with auto-dimming technology that automatically dims as light conditions change, from sunset each night to sunrise the next morning, resulting in a maximum light emanation as measured from the nearest residential property line of no more than 0.2 footcandles over ambient lighting conditions; or shall be completely turned off between the hours of 10:00 p.m. and 6:00 a.m., seven days a week.
 - 7) All EMC signs shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.
 - 8) If an EMC or CCS is installed on a property, no temporary signs are allowed for the property during any time that the EMC or CCS is in use.



Changeable Copy Sign –
Non-Electronic



Changeable Copy Sign –
Electronic



Electronic Message
Center

- b. The following additional conditions shall apply to the use of electronic message centers (EMCs) and changeable copy signs (CCS) on a site based upon the functional classification of the abutting street:

1) *Principal Arterial and Major Arterial Streets:*

- a) The EMC or CCS does not exceed fifty percent (50%) of the total sign area permitted on the site and no more than eighty percent (80%) of the permitted sign area upon which it is utilized percent;
- b) The display of the entire Electronic Message Center stays constant for a period of at least three (3) seconds.
- c) Transition time between messages and/or message frames is instantly or in a transition of less than one (1) second, and does not appear to change, travel, scroll, flash, spin, rotate, fade, dissolve, move, vary color, or vary light intensity;
- d) The EMC is required to be equipped with a sensor or other device that automatically determines the ambient illumination and shall be programmed to automatically dim to a level which is no greater than 0.3 footcandles over ambient light at all times of the day and night., as measured at ground level using the EMC Illumination Measurement Criteria recommended by the International Sign Association dated April 2011.
- e) No single electronic message is permitted to be repeated by flashing more than once every six (6) seconds.

2) *Minor Arterial and Major Collector Streets:*

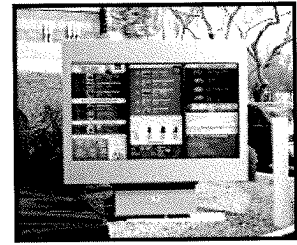
- a) The EMC or CCS does not exceed thirty percent (30%) of the total sign area permitted on the site and no more than fifty percent (50%) of the permitted sign area upon which it is utilized;
- b) The display of the entire Electronic Message Center stays constant for a period of at least three (3) seconds.
- c) Transition time between messages and/or message frames on an EMC is instantly or in a transition of less than one (1) second, and does not appear to change, travel, scroll, flash, spin, rotate, fade, dissolve, move, vary color, or vary light intensity;
- d) The EMC is required to be equipped with a sensor or other device that automatically determines the ambient illumination and shall be programmed to automatically dim to a level which is no greater than 0.3 footcandles over ambient light at all times of the day and night., as measured at ground level using the EMC Illumination Measurement Criteria recommended by the International Sign Association dated April 2011.
- e) No single electronic message is permitted to be repeated by flashing more than once every six (6) seconds.

E. Other Permanent Signs. The following on-premise signs shall be permitted in all non-residential districts in accordance with the following standards, however, such signs shall not be counted as part of the maximum square footage of sign area as set forth in Section 7.11.6.B, Table 1 above.

1. Menu Boards.

- a. If a site is occupied by a use which includes a drive-through facility, a maximum of two (2) menu boards not exceeding a maximum of eight (8) feet in height with a combined total of seventy-two

(72) square feet of sign area shall be permitted. Such signs shall be oriented to internal vehicular traffic and not directed to traffic on adjacent streets.



- b. If a site is occupied by a use which has drive-in stalls, one drive-in menu board not exceeding a maximum of six (6) feet in height with a total of nine (9) square feet of sign area shall be permitted per stall.
2. Permanent Banners. Where banners are used as permanent signs, they shall be included in the total square footage of permanent signage allowed on the site, shall be mounted in or on a permanent sign structure, and shall comply with all provisions of this Section, including all construction and structural requirements, regardless of its size. A new business or a business in a new location may use a temporary banner sign for business identification while awaiting permanent signage for a period not to exceed one hundred twenty (120) days, provided the size shall not exceed the allowable square footage for a permanent sign.
3. Incidental signs, including instructional, informational, and directional signs. Incidental signs may be displayed in association with an authorized use and erected without number, provided the signs do not exceed four (4) square feet in area or four (4) feet in height, if freestanding. Incidental signs may include the company name and/or logo but shall not be oriented or located in any manner to constitute additional advertising.



F. Comprehensive Sign Plan (CSP). For the purpose of providing flexibility and incentives for coordinated, well designed sign systems for non-residential properties being developed as a unit, a comprehensive sign plan (CSP) may be considered. A comprehensive sign plan may be allowed for all existing or any new nonresidential developments of three or more separate tenant spaces which: (1 share either the same parcel or structure, or 2) use common access and parking facilities. A CSP requests approval of a comprehensive sign permit establishing the size, location, and design of all signage on such property. Such a plan will establish signage criteria that is tailored to a specific development or location and which may vary from the provisions of this Ordinance, while promoting the use of signs which are aesthetically pleasing, of appropriate scale, and integrated with the surrounding site, buildings and landscape.

National or international franchises shall be given reasonable consideration with respect to company standard logos and lettering styles that are an integral part of the franchise image and identity. The consideration shall not be without restriction and shall be within the boundaries of sound zoning practice and planning and in harmony with the general purpose, spirit and intent of these regulations.

All comprehensive sign plans shall be reviewed by the Metropolitan Area Planning Commission (MAPC) and shall conform to all conditions imposed by said MAPC prior to the issuance of a sign permit. The comprehensive sign plan may contain elements that exceed the permitted height, area, and/or number of signs as specified herein if the MAPC find that:

1. The development site contains unique or unusual physical conditions, such as topography, proportion, size or relation to a public street that would limit or restrict normal sign visibility;

2. The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing features that represent clear variation from conventional development; or
3. The proposed signage incorporates special design features, such as logos, emblems, murals, or statuary, that are integrated with building architecture.

All Comprehensive Sign Plans are subject to the following restrictions:

1. All CSPs shall include the location, size, height, construction material, color, type of illumination and orientation of all proposed signs.
2. All CSPs shall include all signage to be located within the boundaries of the subject site whether in excess of the provisions of the current sign regulations or not.
3. CSPs shall not propose a total sign area in square feet exceeding three (3) square feet of signage for every one (1) linear feet of street frontage of the subject property.
4. CSPs shall not include any prohibited signs.

Additionally, a Comprehensive Sign Plan is required for all Planned Unit Development (PUD) applications which involve either an existing or a new nonresidential development of three or more separate tenant spaces which: (1) share either the same parcel or structure, or (2) use common access and parking facilities.

G. Temporary Signs. In addition to permanent signs, on-premise temporary signs may also be placed on any non-residential site for a limited period of time as a means of publicizing special events such as grand openings, sales, new services, etc, subject to the following standards.

1. General Regulations for Temporary Signs.

- a. If an EMC or CCS is installed on a property, no temporary signs are allowed for the property during any time that the EMC or CCS is in use.
- b. No temporary sign shall be illuminated.
- c. No freestanding temporary sign shall exceed the maximum height limit for permanent on-premise freestanding signs as set forth in Section 7.11.6.C of these Regulations.
- d. A temporary sign shall not exceed forty (40) square feet in area, unless the sign design has been sealed by an Oklahoma Registered Engineer confirming compliance with all applicable sign construction and structural standards; however, a temporary sign shall not, in any case, exceed ninety-six (96) square feet in area.
- e. All temporary signs attached to a building or structure shall be parallel to the walls of the building and shall be adequately secured through grommets with support anchors on at least four (4) corners, and pulled tight to minimize the amount of wind that can get behind it. Any freestanding temporary sign shall be mounted to a rigid assembly adequate to maintain the sign upright in a moderate wind.
- f. A new business or a business in a new location may use a temporary banner sign for business identification while awaiting permanent signage for a period not to exceed one hundred twenty (120) days, provided the size shall not exceed the allowable square footage for a permanent sign. When used in this manner, such temporary banner will not count toward the time limit identified in 2.a below.

2. The following temporary signs, as further defined in Section 7.11.3, shall be permitted in accordance with the following standards:
 - a. Banners, including tear drop signs, feather signs, or swooper signs.
 - 1) Regardless of the number of businesses located on a single property, banners shall be permitted for each business as set forth herein; however, no more than one (1) freestanding banner per each one hundred (100) linear feet of street frontage may be displayed at any one time on any single property.
 - 2) Shall be displayed a maximum of sixty (60) consecutive days, and not more than one hundred twenty (120) days in the same calendar year.
 - 3) A permit shall be required for each temporary sign displayed and shall be valid for a period of thirty (30) days after which it may be renewed one time for an additional thirty (30) days.
 - b. Special Event Signs.
 - 1) Limited to one (1) per street frontage and located on the same zoning lot as the event is to take place. (See also Off-Premise Signs)
 - 2) May be erected and maintained for a period not to exceed thirty (30) days and shall be removed within three (3) days of the termination of such event.
 - c. Sandwich Board Signs/A-frame Signs.
 - 1) Shall be permitted within the public right-of-way only in a C-4 (Central Commercial) zoning district, with proper insurance as may be required by the City, within twelve (12) feet of the entrance to the professional, commercial or business activity advertised on the sign.
 - 2) Limited to a maximum of six (6) square feet of sign area per side with a maximum width of three (3) feet and a maximum height of four (4) feet.
 - 3) No limit on the number of display days per calendar year.
 - 4) Shall be displayed only during the hours the premises or business is open to the general public, and shall be removed by the end of business each day.
 - 5) Limited to not more than one (1) sign per company/business, except in the case of multiple businesses on one property, not more than two (2) signs per property.
 - 6) Shall not encroach into any portion of a required handicapped ramp; shall not be located closer than two (2) feet from the face of curb to the nearest sign edge leaving a minimum width of five (5) feet of unencumbered walkway for pedestrian traffic.
 - d. Temporary Use Signs. Temporary signs that are approved as part of a temporary use, as per Section 7.7.2 of the Zoning Regulations:
 - 1) Shall be located on the same zoning lot as the temporary use.
 - 2) Shall be limited to no more than one (1) per street frontage.
 - 3) Shall be erected no sooner than seven (7) days before the commencement of the temporary use and removed within twenty-four (24) hours following the termination of the temporary use.
 - e. Human Signs.
 - 1) Permitted only as an on-premise sign.
 - 2) Total sign area displayed shall not exceed twelve (12) square feet or four (4) feet in length.
 - 3) May not hold or carry wind devices, flags, or balloons.
 - 4) Bull horns or amplified sound are prohibited.

- 5) Shall not stand or walk on podiums, risers, stilts, vehicles, roofs, or other structures so as to be elevated to any point above ground level.
 - 6) Shall not be illuminated in any way, nor shall any human sign utilize any type of illumination, animation, flashing, blinking and rotating lights or mirrors.
- f. Construction Signs or Project Development Signs.
- 1) Shall be limited to a maximum of ninety-six (96) square feet in area and twelve (12) feet in height.
 - 2) Shall be limited to one (1) sign along each street frontage for a project which is in the process of development.
 - 3) Shall be removed after completion of construction, or upon issuance of a certificate of occupancy for any building, whichever comes first.
 - 4) Signs of forty (40) square feet or less are permitted without a permit as per Section 7.11.2.C.

Section 7.11.7 Supplemental Provisions Pertaining to On-Premise Signs

- A. *Non-Complying On-Premise Signs.*** Any sign that is not in compliance with the provisions of these Regulations upon its enactment shall be deemed a non-complying sign. All non-complying signs shall be allowed to continue until such time that the business or organization owning the property where the sign is located no longer owns or operates the non-complying signs. All signs, including non-complying signs, must be maintained in accordance with all State and City regulations. If structural alteration or replacement is deemed necessary by the organization, the organization shall obtain a permit to perform any type of maintenance, excluding normal replacement of sign faces, lamps, ballasts, and timers. Non-complying sign faces shall be changed as needed so long as size and configuration remain as originally permitted. Sign structures may be repainted as needed. Permits will be required for all maintenance work with the exception of normal replacement of lamps, ballast, timers, and damaged sign faces. Any sign structure being structurally modified at a cost exceeding 50% of the replacement cost of the sign as to size, additions or configurations shall be immediately brought into compliance with this Section and any other applicable State and City regulations.
- B. *Variations or Modifications.*** Variations or modifications from the standards set forth herein may be approved as part of a Comprehensive Sign Plan (CSP) as set forth in Section 7.11.6.F.
- C. *Substitution of Non-Commercial Speech for Commercial Speech.*** Notwithstanding anything contained in this Section to the contrary, any sign erected pursuant to the provisions of this Section may, at the option of the owner, contain a non-commercial message in lieu of a commercial message and the non-commercial copy may be substituted at any time in place of the commercial copy. The non-commercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to non-commercial messages, or from one non-commercial message to another non-commercial message, as frequently as desired by the owner of the sign, provided that the size, height, setback and other dimensional criteria contained in this Section have been satisfied.
- D. *Content Neutrality as to Sign Message or Viewpoint.*** Notwithstanding anything in this Section to the contrary, no sign or sign structure shall be subject to any limitation based upon the content or viewpoint of the message contained on such sign or displayed on such sign structure.

E. Sign Construction and Structural Standards. All signs erected, altered, relocated, constructed, or maintained within the City of Bartlesville shall also comply with the standards set forth in the International Building Code, including Appendix H thereto, the National Electrical Code, and any other applicable code adopted by the City of Bartlesville. Where there is a conflict between any of these codes and this Section, the most restrictive standard or regulation shall govern.

1. Sign Maintenance Standards.

- a. All signs and sign structures shall be maintained in a good condition, so as to present a neat and orderly appearance. The Community Development Director may order the removal of any sign or sign structure which is in any of the following conditions: those which are excessively weathered, including signs where the condition of the paint or structural material has become so deteriorated as to permit decay, excessive cracking, peeling, chalking, flaking, fading, dry rot or warping; sign which are torn, broken, or where the copy can no longer be seen or is legible by a person with normal eyesight from the intended's point of view ; or signs which have inoperative or partially inoperative illuminating or mechanical devices.
- b. Signs and sign structures which become dangerous for one or more of the following reasons shall be taken down and removed or made safe as the Community Development Director deems necessary:
 - 1) Whenever damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength of stability is materially less than it was before the catastrophe and is less than the minimum requirements of the Building Code;
 - 2) Whenever any portion or member thereof is likely to fail or become detached or dislodged, or to collapse and thereby injure persons or property;
 - 3) Whenever any portion or member thereof is likely to partially or completely collapse as a result of any cause, including but not limited to dilapidation, deterioration, or decay; faulty construction or wiring; or removal, movement or instability of any portion of the ground or building necessary for supporting such structure;
 - 4) Whenever any portion or member thereof is structurally or electrically unsafe or otherwise hazardous to human life or safety by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, damage, or abandonment.
- c. All such signs and sign structures determined after inspection by the Community Development Director to be poorly maintained or dangerous shall be deemed a public nuisance and shall be abated by repair, rehabilitation, demolition or removal, by the sign and/or property owner in accordance with Chapter 11 of the Bartlesville Municipal Code.

2. Sign Contractor's License and Insurance; Exemption. No person shall erect, alter, relocate, construct, or maintain any sign without a valid contractor's license and all required local, State, and Federal licenses. Any person holding a valid contractor's license shall have a current certificate of insurance on file which indemnifies the City of Bartlesville for any form of liability. Any person doing business within the City of Bartlesville may be exempted from this provision, provided he is erecting a sign on the premises occupied by his regular business; however, he must first obtain a permit and show evidence of financial responsibility in the event of accident and meet all other requirements of this Section.

3. Sign Permit and Fees. No sign shall be erected, constructed, altered, rebuilt, enlarged, extended, converted, maintained, replaced, relocated, until a permit has been issued by the Community Development Department, unless such sign is exempt as per Section 7.11.2.A or 7.11.2.C. Applications for sign permits shall be made upon forms provided by the Community Development Department and shall contain or be accompanied by such plans, drawings, and specifications as are necessary fully to advise of the type, size, shape, location, zone, construction, and materials of the proposed sign, and the building, structure, or premises upon which it is to be placed. The fee for a sign permit shall be as follows:

Permanent Signs:

Attached Signs: \$50.00

Freestanding Signs:

Up to 20-feet in height: \$50.00

For every foot about 20': \$20.00 up to the maximum of 30-feet

Temporary Signs: \$20.00

Consolidated Sign Plan: \$100.00

ARTICLE III. OFF-PREMISE SIGNS, INCLUDING BILLBOARDS

Section 7.11.8 Billboards.

- A. Definition.** A billboard is a sign, including the supporting sign structure, which directs attention to and/or advertises a business, commodity, service, or entertainment which is conducted, sold, or offered elsewhere than upon the lot on which the sign is located. The following shall not be considered a billboard for the purposes of these regulations: a) directional or official signs authorized by law; and b) temporary event signs and political signs as permitted by Section 7.11 of these regulations.
- B. Locations.** Billboards may be permitted in any of the following zoning districts: C-5 General Commercial, C-6 Commercial Amusement District, C-7 Highway Commercial District, M-2 General Industrial District (Medium), or M-3 Intensive Industrial District (Heavy), except where expressly prohibited by location within the Highway 75 Overlay District as provided in Section 7.10.3 (G) of the Zoning Regulations. In addition, billboards are specifically prohibited within the original boundaries of the Bartlesville Downtown Redevelopment District as adopted by the City Council by Ordinance No. 3150 on December 20, 2004.
- C. General Standards:**
 1. No billboard shall be constructed which resembles any official marker erected by a governmental entity, or which by reason of position, shape, or color would conflict with the proper functioning of any official traffic control device.
 2. Billboards shall be constructed in accordance with all State and Local regulations, including building and electrical codes. Stamped structural engineering plans shall accompany sign permit applications and shall be subject to wind speed requirements as set forth in the latest edition of the International Building Code.
 3. All billboards shall be regularly maintained in good and safe structural condition. The painted portions shall be periodically repainted and kept in good condition. The general area in the vicinity of any billboard shall be kept free and clear of sign materials, weeds, debris, trash, and refuse.
 4. Billboards displayed on parked or stationery vehicles, where the primary purpose of the vehicle is to advertise a product or business or to direct people to a business or activity are specifically prohibited.

D. Size, Height, and Location Standards:

1. Only (1) one billboard structure may be permitted on a lot. A billboard shall not be permitted on a lot that already has a freestanding on-premise sign. Further, an on-premise sign shall not be combined in any manner with a billboard.
2. Billboards which are erected or painted on a roof are prohibited. Billboards which extend above the roofline of any building on which a sign is erected are prohibited.
3. The maximum area shall be three hundred (300) square feet per face.
4. Billboards must set back at least twenty-five (25) feet from the street edge of pavement and/or at least ten (10) feet from all property lines, whichever is greater.
5. Billboards shall be oriented to be primarily visible from the adjacent roadway.
6. No billboard shall be erected closer than five hundred (500) feet in any direction to another billboard.
7. Billboards shall be located a minimum of one hundred (100) feet from any existing residence and two hundred (200) feet from any residential district.
8. The maximum height of a billboard shall be forty (40) feet except in the case of an elevated roadbed, the allowable height shall be no more than twenty (20) feet above the roadbed at the edge of the pavement, or forty (40) feet, whichever is greater.
9. All billboards shall maintain a minimum clearance of twelve (12) feet as measured from the ground level at the base of the sign to the bottom of the sign face or to the bottom of the deck, whichever is lower.

E. Design and Construction Standards:

1. Double-faced signs, V-type signs, and tri-vision signage shall be allowed, however stacked signs or signs in a vertical position with one structure atop the other are prohibited. Side-by-side signage shall be permitted only on parcels abutting U.S. Highway 75 when such signage complies with all other provisions of these regulations.
2. No billboards shall be constructed by more than two steel posts or columns. Wood posts are specifically prohibited.
3. Illumination of billboards shall be by constant light, either direct or indirect. No billboard shall contain flashing, intermittent, moving, blinking, or traveling lights, bare bulb illumination, or reflective glitter, except for time, temperature, and date messages. Neither shall a billboard be permitted to have beams or rays directed at any portion of the traveled ways and are of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
4. The use of LED digital display and digital video on billboards, except as permitted above, is specifically prohibited.
5. Cut-outs or extensions shall be permitted in addition to the maximum 300 square foot display surface area permitted herein, so long as the cutouts or extensions do not exceed 15% of the display surface area or a maximum of 45 square feet. This shall include approval of three dimensional shapes.

F. Nonconforming Billboards: Any billboard lawfully erected and in existence on the effective date of the adoption of this section or located in an area annexed into the City thereafter, which does not conform with the requirements of this section shall be considered as a legal nonconforming billboard and is permitted to remain. Such billboard shall be maintained in a good condition and shall be allowed to remain in existence provided such sign is not:

1. abandoned or the sign face left vacant or blank for a period of six months; or
2. damaged or dilapidated to 50% or more of its physical structure or the estimated replacement value.

Said billboard may be rebuilt on the same property provided that:

1. the size of the sign face does not increase in square footage; and





2. the sign structure and/or face does not change in its configuration; and
3. the billboard is made to conform to all other requirements set forth in these regulations.

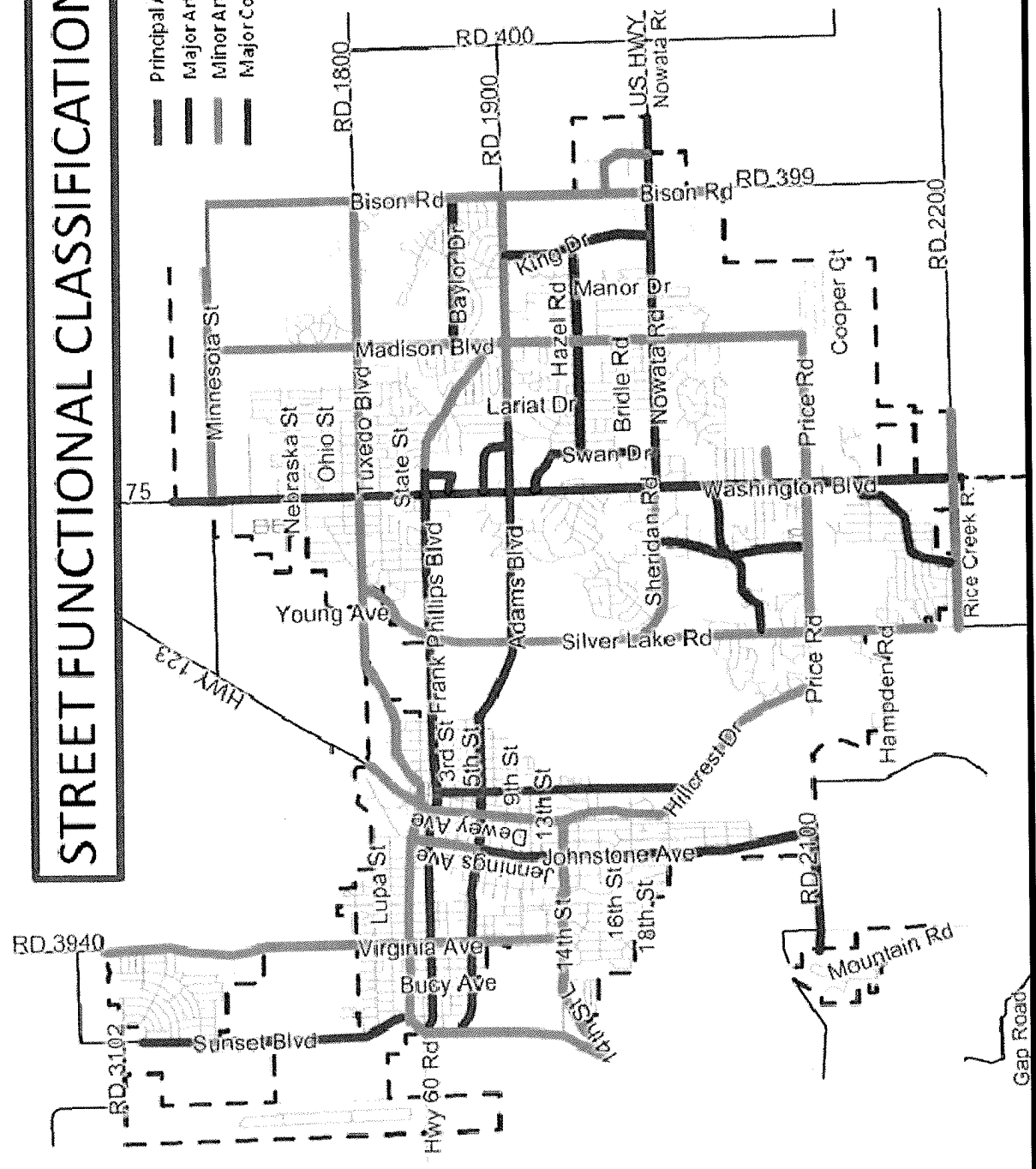
Section 7.11.9. Other Off-Premise Signs.

A. *Special Event Signs.* A sign advertising or pertaining to any civic, patriotic, or special event of general public interest for noncommercial purposes.

1. Up to four (4) special event signs may be located off-premise on private property with consent of the property owner.
2. May be erected and maintained for a period not to exceed thirty (30) days and shall be removed within three (3) days of the termination of such event.

STREET FUNCTIONAL CLASSIFICATION

-  Principal Arterial
-  Major Arterial
-  Minor Arterial
-  Major Collector



ORDINANCE NO. 344 5

Published in the Bartlesville Eaiiner Enterprise on
AN ORDINANCE AMENDING SECTIONS 7.4, 7.10, AND 7.11 OF THE ZONING REGULATIONS FOR THE BARTLESVILLE- WASHINGTON COUNTY METROPOLITAN PLANNING AREA, PERTAINING TO THE GENERAL DEVELOPMENT STANDARDS, LANDSCAPING REQUIREMENTS, AND SIGNS AND SIGN STRUCTURES.

WHEREAS, the Metropolitan Area Planning Commission (MAPC) held a public hearing on December 16, 2014, to consider proposed amendments to the Zoning Regulations of the Bartlesville-Washington County Metropolitan Planning Area; and WHEREAS, the City Council reviewed the recommendation of the MAPC and after conducting a second public hearing on January 5, 2015, concluded the proposed amendments to be appropriate.

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

Section 1. That the Section 7.4, General Development Standards, of the Zoning Regulations of the Bartlesville-Washington County Metropolitan Planning Area are hereby amended as shown in the annotated copy and information attached hereto as Exhibit A.

Section 2. That the Section 7.11, Signs and Sign Structures, of the Zoning Regulations of the Bartlesville-Washington County Metropolitan Planning Area are hereby amended as shown in the annotated copy and information attached hereto as Exhibit B.

Section 3. That the Section 7.10.3(G). Development Design Standards, Signage Requirements for the Highway 75 Overlay District, of the Zoning Regulations of the Bartlesville- Washington County Metropolitan Planning Area is hereby amended in its entirety to read as follows:

G. Signage Requirements. Signage within the Highway 75 Overlay District shall comply with the provisions set forth in Section 7.11 of these Regulations, however, pole signs, billboards, and roof-mounted signs are expressly prohibited.

PASSED by the City Council and APPROVED by the Mayor of the City of Bartlesville, Oklahoma this 5th day of January 2015.

011111M/14

Tom Gorman, Mayor

E City of Bartlesville 401 S. Johnstone Ave. Bartlesville, OK 74006

ATTEST:

Mike Bailey, City Cle (SEAL)

VOTE:

MS. NGUYEN

VICE MAYOR COPELAND MR. KANE

MR. LOCKIN

MAYOR GORMAN

no no no no no

EXHIBIT A

AMENDED GENERAL DEVELOPMENT STANDARDS

7.4 General Development Standards

The standards contained in this section address the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment. These General Development standards apply to all development involving any zoning approval or approvals pursuant to this Ordinance, subject to the following limitations:

A. The standards contained in this section apply to all new development unless specifically exempted.

B. The standards contained in this Section apply to the expansion or improvement of existing uses only if the expansion or improvement:

O Exceeds 25% or more of the original floor area of the building,

O Exceeds more than ten (10) off-street parking spaces; or

O Increases the non-permeable lot coverage by more than 20%; or equals or exceeds fifty percent (50%) of the market value of the structure before the expansion or improvement is started.

O Increases the structure or property value by more than 25%, per the county appraiser's records.

7.4.1 Off-Street Loading Requirements

7.4.1.1 Requirement. Every building or structure hereafter constructed in any district, for nonresidential purposes requiring the receipt or distribution by vehicles of material or merchandise shall provide and maintain on the same lot with such building, at least one (1) off-street loading space.

7.4.1.2 Location. Such space may occupy all or any part of any required yard, or court space, but no such space may be located closer than fifty (50) feet to any residential district unless wholly within a completely enclosed building or unless enclosed on all sides abutting the residential district by a wall of not less than eight (8) feet in height.

7.4.2 Off-Street Parking Requirements

7.4.2.1 Requirement. In all zoning districts, except the C-4 District, in connection with every industrial, commercial, institutional, recreational, residential or any other use, there shall be provided, at the time any building or structure is erected or enlarged or increased in capacity, or any other use is established, off-street parking spaces for automobiles in accordance with the requirements in the "Parking Spaces Required" column in the tables of permitted uses. All such parking spaces shall be accessed by a curb cut or driveway which conforms with all applicable City Codes. Parking space used in connection with an existing and continuing use or building on the effective date of these regulations up to the number required by these regulations, shall be continued and may not be counted as serving a new structure or addition; nor may a parking space be substituted for a loading space or a loading space substituted for a parking space.

Any parking area which is to serve a new use of land shall satisfy the requirements of these regulations. Further, principal structure as reflected on the county property appraiser's current records.

(Remainder of page intentionally left blank.)

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7.4.2.2 Size, Surface, Striping, and Drainage and Perimeter Curbing.

A. 4,-Size. Each off-street parking space shall have an area with minimum dimensions as set forth in the following table.

STANDARD PARKING SPECIFICATIONS

Parking Angle In Degrees	Stall Width	Aisle Length (ft.)	Depth of Stall* (ft.)	Aisle Width (ft.)	One-Way Perpendicular	Two-Way
0 (parallel)		8.5	23.0	8.5	12.0	24.0
30	9.0	18.0	17.3	11.0	22.0	
45	9.0	12.7	19.8	13.0	22.0	
60	9.0	10.4	21.0	18.0	23.0	
75	9.0	9.3	20.7	20.5	24.0	
90	9.0	9.0	19.0	24.0	24.0	

* The actual paved depth of the stall may be less if it is designed to otherwise accommodate a maximum two-foot vehicle front overhang.

2.B. Surface.

a. Nonresidential Uses. All nonresidential parking areas shall be paved with an all-weather surface, to include but not limited to, asphalt, concrete or chip and seal.

b. Residential Uses of Four or Less Units. All residential parking areas shall be paved with gravel or an all-weather surface, to include but not limited to, asphalt, concrete, or chip and seal. If rock, gravel, or similar inorganic material is used, said area shall be enclosed with a permanent border or frame, shall be a minimum of two (2) inches in thickness, and shall be maintained in this manner.

It shall be unlawful and an offense for any person

any person to park any vehicle on grass, dirt, or similar unpaved surface. Such parking areas shall be maintained in such a manner that no dust will result from continued use. Exceptions or variances to this all-weather surface requirement may be granted by the Board of Adjustment for nonresidential parking areas within the three-mile unincorporated area of the Bartlesville Metropolitan Planning Area where clear evidence of practical difficulty or unnecessary hardship can be shown by the developer.

C3. Striping. Except for all residential units of four or less units and townhomes, all parking stalls shall be marked with white or yellow painted lines not less than four (4) inches wide. Such striping shall delineate parking stall dimensions consistent with the stall number and size requirements set forth herein.

D4. Drainage and Perimeter Curbing. Except for all residential units of four or less units and townhomes, all open, off-street parking shall be graded according to an approved drainage plan and shall have a perimeter curb barrier around the entire parking lot; said curb barrier, not be closer than five (5) feet to any lot line. Grass, plantings, or screening shall be provided in all areas bordering the parking area.

7.4.2.3 Floor Area Defined. For the purpose of applying the requirements for off-street loading and parking, the term "floor area", in the cases of offices, merchandising, or service types of uses, shall mean the gross floor area used or intended to be used by tenants, or for the service to the public as customers, patrons, clients or patients, including areas occupied by fixtures and equipment for display or sale of merchandise. It shall not include areas used principally for non-public purposes, such as storage, incidental repair, processing, or packaging of merchandise, for offices incidental to the management or maintenance of stores or buildings, for rest rooms, utilities, or for fitting or dressing rooms.

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7.4.2.4 Lot Area Defined For the purpose of applying the requirements for off-street loading and parking; the term "lot area" in the case of:

A. driving range, commercial, shall mean the tee area only.

B. 2. Retail sales of agricultural products raised on the premises, shall mean the lot area used for display and sale of the products only.

7.4.2.5 Location. Such off-street parking space may occupy all or any part of any required yard or court space; except in an interior side or rear yard which abuts a lesser zoning district, in which case, such off-street parking space may occupy no more than the furthest 50% of said required yard area. For any new use, structure, or building, required off-street parking, which because of the size or location of the parcel cannot be provided on the premises, may be provided on other property not more than four hundred (400) feet distant from the building site. Such parking space shall be deemed to be required parking space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner. Off-street parking spaces shall be arranged so that no vehicle will back directly onto a street. All private parking areas and circulation drives shall be located off of the street right-of-way. Divisional islands and curbs shall be constructed where necessary to provide such protection.

7.4.2.6 Number of Off-Street Parking Spaces Required The number of off-street parking spaces require for each use is set forth in the "Parking Spaces Required" column in the tables of permitted uses. It is the intent of these requirements to result in the minimum amount of required parking as excessive amounts of parking yields only result in larger impervious surface areas. If for any reason the classification of any use for the purpose of determining the amount of off-street parking space to be provided by each use is not readily determinable there under; the classification of the use shall be determined by the Community Development Director. All uses, except for single family detached, attached and duplex units, shall provide handicapped accessible parking in accordance with the latest edition of the International Building Code (IBC) as adopted by the City of Bartlesville and the most current Americans with Disabilities Act Accessibility Guidelines (ASAAG). Such spaces shall be considered part of, rather than an addition to the required number of spaces.

7.4.2.7 Shared Parking. Developments or uses with different operating hours or peak business periods may share off-street parking spaces if approved and if the shared parking complies with all of the following standards.

A. 1. Location. Shared parking spaces must be located within 600 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided.

B. 2. Zoning District Classification. Shared parking areas require the same or a more intensive zoning classification than that required for the use served.

C. 3. Shared Parking Analysis: Those wishing to use shared parking as a means of satisfying off-street parking requirements shall submit a shared parking analysis that clearly demonstrates the feasibility of the shared parking arrangement. The analysis must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

D. 4. Agreement for Shared Parking: A shared parking plan shall be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be approved by the Community Development Director and recorded of record at the County Courthouse prior to the issuance of a building permit for any use to be served by the shared parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with Section 7.4.2.

7.1.2.8 Dcyclopn7cnt and the following requirements:
its

attendant vehicle storage requirements on adjacent residential uses. The following landscaping and screening requirement are therefore imposed.

*de landscaped strip between the

; impeded upon this 5 foot landscape strip. Such landscape strips shall be continuous except where

- 4.
- 1.1
- . . "

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41111 ,41111^711161EMIRMWM

the landscape strip. Said street tree: the Community Development Dire

2. Any proposed parking areas adjak: . five fc

'..e trees per 100 feet of street frontage shall may be planted on center or may b

:1 to a residential use shall provide a landsca be landscaped with trees, shrubs, earthen b which will provide an cf

- -3

t.-Z

of automobile headlights.

3. All parking areas containing less than

lots containing 10 to 17 spaces

shall be required to

provide landscaping covering an

or a equal to 10 percent of the area

required landscape are. Perimeter p1 50% of this required landscape area

the parking lot in landscaped islands or medians.

5. All parking lots containing 18 or more spaces shall provide lan

a. A minimum of 10 percent of the-paved area shall be landscaped. This landscaping shall be

the form of planted medians and islands. Perimeter planting shall not count toward thia, requirement.

b. A continuous bay of parking s a landscaped island or median, at lest 10 feet in width.

- •

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n-ell 300 square feet of required landscape are

e-ars is optional, but may be required in order to meet the

minimum landscape requiren

width.

minimum three inch (3") caliper as measured six inches (6") up from the base at the time of planting, Fractions of trees above 0.5

shall be rounded up to the nearest whole tree.

attachment within 15

Street Frontage

5 foot landscap

very 100 feet of frontage

Regifteter&

gefeening

re abutting a residential use with effective

• Less than 10 spaces: none required

• 10 to 17 spaces: 10% of paved arm with 1 tree for each 300 square feet of landscaped area; perimeter plantings may

count toward 50% of area

18 spaces or more: 10% of paved ar with 1 tree for each 300 meter plantings may not count toward this required area; landscaped

island required for each

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Interiors

n would result in an unrensonable hardship. However,

in order that the intent

e width of the landscape strip or area of interior

landscaping,

7. 1.3 Site Requirements.

street trees for every one hundred (100) feet of street frontage at the time of development along any public street frontage. Said street trees shall be planted within a minimum five (5) foot landscape strip abutting said street and shall have a minimum three feet diameter. All trees shall be rounded up to the nearest whole tree.

7.4.3 Landscaping Requirements.

Landscaping is an important part of land development and helps to define parking areas; mitigate the view of cars and pavement; provide a buffer and screening for residential properties; provide continuity to the streetscape; minimize noise, wind, heat, air pollution, and storm water runoff and erosion; increase ground permeability; and obtain other environmental benefits associated with green infrastructure. The standards contained in the Section for the provision, installation, and maintenance of landscape planting in and around the various land uses and associated parking areas applied to the development of multifamily uses of three (3) or more units per structure and all nonresidential development. This section sets forth minimum standards through the use of a point system which assures that the minimum requirements are met while providing greater flexibility in design, installation, and maintenance required landscaping.

7.4.3.1 General Requirements.

- A. All landscaping shall be hardy plants and shall be maintained thereafter in a neat, healthy, and orderly manner. Withered and/or dead plant materials shall be replaced within a reasonable period of time, but no longer than one growing season. Replacement materials will be required when any tree or shrub is removed or dies. Any tree with a caliper of less than 3 inches shall be replaced by the same caliper of tree. Trees that are larger than 3 inches in caliper shall be replaced with a tree with a minimum caliper of three-inches.
- B. Required landscaping materials, including all trees, shrubs, and plants shall be maintained in perpetuity by the then-owner(s) of the property.
- C. Planting shall not be planted or maintained in such a way as to create side obstruction or hazard for vehicular or pedestrian traffic.
- D. Wherever ground in its natural state has been disturbed, approved landscaping or grass shall be fully installed, and established prior to issuance of a Certificate of Occupancy or as approved by the Community Development Director.,
- E. The entire site not devoted to floor area, parking, detention, access ways, or pedestrian use shall be appropriately landscaped with grass, trees, shrubs and groundcover.
- F. Required landscaping areas, landscaped islands, and buffer areas shall be designed to integrate parking lot and site drainage in order to increase storm water infiltration, reduce storm water runoff velocities, and minimize non-point source pollution.
- G. Property owners and all zoning district shall be responsible for landscaping and maintaining the area within the street right-of-way between the curb line and their property line.
- H. All required landscaping shall be irrigated by one or a combination of the following methods:
 - O An underground sprinkler system equipped with your rain sensor;
 - e A drip irrigation system equipped with a rain sensor; or
 - e A hose attachment within one hundred feet (100') of all landscaped areas.

7.4.3.2 Minimum Size Requirements and Point system

A. The developer may use any combination of plantings to obtain the necessary number of points required for the development. Different lots and landscapes will lend themselves to different types of plantings. These regulations attempt to encourage creativity and diversity and landscaping.

X13. Different types and sizes of plants are worth different point values as set forth in the following table.

Plant Type	Minimum Size at Time of Planting	Minimum Mature Size	Point Value
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Tree Classifications

Large Tree	2-inch caliper and 8-feet in height	30-feet in height	12
Small Tree	1.5-inch caliper and 6-feet in height	15-feet in height	

Note. 2 additional points for trees that are evergreen

Shrub Classifications

Large Shrubs	3-feet in height	8-feet in height	
Medium Shrubs	2-feet in height	5-feet in height	
Small Shrubs	18-inches in spread or height	3-feet in height	

Note. 1 additional point for shrubs that are evergreen

Ground Cover Classifications (excluding turf grass)

Flowering	100 ft. ²
Perennials	
Green Perennials	100 ft. ²
Ornamental	100 ft. ²
Grasses	

C. The required number of points for any one area may be reduced by 40% if the total planting area is designed as a contiguous green space, serving as an approved vegetated low impact development storm water management area, to include but not limited to, vegetated infiltration soils, cascade pools, rain gardens, or bioswales.

D. The caliper of the tree trunk shall be measured at twelve inches (12") above the ground level.

E. Existing healthy vegetation may be counted toward the required landscaping, subject to approval and plant classification

valuation by the Community Development Director.

F. The use of hard scape materials and other non-living landscape materials, including but not limited to rock, stone, structural or decorative features such as fountains, reflecting pools, artwork, benches, gesturing and walkways, bicycle parking, and recreation facilities, may be proposed with final approval to be granted by the Community Development Director. However, in no case shall such hard scape or non-living landscape materials be approved which would exceed 25% of the total required landscaped area. (Remainder of page intentionally left blank.)

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12.7.4.3.3 Minimum Requirements by Land Use

Landscaping within any developed area must equal or exceed a minimum number of points in order to obtain approval. The number of points that must be achieved is based upon the land use as identified in the following table. When calculating points, quantities, areas and/or distances, values shall be rounded up to the nearest whole number.

Land Use	Minimum Points Required	Required Location
Off-Street Parking Lot containing ten (10) or more spaces	Option A: 1.0 times the total number of parking spaces provided; 50% of the points must be achieved by tree planting. Option B: 1.5 times the total number of parking spaces provided; 50% of the points must be achieved by tree planting.	Within the parking lot in curbed islands or peninsulas (minimum 9-feet in width)* Within 15-feet of the perimeter of the parking lot pavement, on a landscaped berm (minimum 3-feet in height)
Street Frontage	40% of the overall length of the street frontage; 80% of the points must be achieved by tree planting	Along the street frontage within a minimum 5-foot wide landscape strip
Residential Protection	When adjoining a residential property, 50% of the overall length of the adjoining property line; 100% of the points must be achieved by planting which will reach a minimum height of 8 feet at maturity.	Along the protected adjacent property line within a minimum 20-foot buffer area; in addition to the requirements of Section 7.4.3.8
Screen Along Adjacent Property Line	Where facing a residential property which in intervening public right-of-way, overall length of the facing property line; 80% of the points must be achieved by planting small or medium shrubs may be combined with required street frontage landscaping.	Within a 5-foot wide landscape strip along the intervening public right-of-way; 40% of the requirements of Section 7.4.3.8;

*A continuous bay of parking spaces shall be no longer than 20 spaces without separation by a landscaped island or median.

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Description Of Property Street Frontage: 450'
Adioining Residential: 150'
Facing Residential with intervening public right of way: 150'
Proposed Parking Spaces: 51

Requirements Calculation of Points
Street Frontage Total: 450 x 0.40 = 180
(Tree Minimum: 300 x 0.80 = 144)

Parking Lot Option A Total: 51 x 1 = 51
(Tree Minimum: 51 x 0.50 = 23)

Residential Protection Along Adjacent Property Line Total: 150 x 0.5 = 75
Residential Protection Along Public Right-Of-Way Total: 150 x 0.4 = 60
(Small/Medium Shrub Minimum: 60 x 0.80 = 48)
Total Points (Option A) 180 + 51 + 75 + 60 = 366
(Total Tree Points: 170)

Sy mbol	-	Total
Common Elm	Black Eyed Susan	Eastern Boxwood Cedar Red

Qty	15	424sf	30	11		
Class	Large Tree		Perennial Shrub	Small Tree	Small	
Base Points	12	6/100sf	1	8		
Evergreen Credit				1	2	
Total	180	25	60	1	110	375

7.4.3.4 Example of Point Calculation and Layout

Residential

6 Privacy Fence

.....

Residential

7.4.3.7 7.4.4 Drainage and On-Site Detention. All sites, including parking areas, shall be properly graded to provide for adequate storm drainage and on-site detention of stormwater. The proposed method of providing for storm water drainage, both surface and subsurface, shall conform to the requirements contained in the Subdivision Regulations pertaining to design standards for storm drainage facilities. At the option of the City of Bartlesville, the developer may pay a fee-in-lieu of providing all or part of the required on-site stormwater detention facilities, if it is determined that the existing downstream regional stormwater facilities are sufficient in size and capacity to accommodate the increased flow generated by the proposed development.

7.4.-345 Sidewalks. All sites shall

where such sidewalks have not—been previously installed. Streets, Sidewalks, Access, and On-Site Vehicular Circulation

A. All streets shall meet the standards and requirements of the Subdivision Regulations for the Bartlesville-Washington County Metropolitan Planning Area.

B. No principal building shall be constructed on a lot that does not abut a public street, except where a private street has been approved by the City of Bartlesville or Washington County. The frontage of such a lot shall not be less than that required for the applicable zoning district.

C. All development shall be designed to allow for cross-access to adjacent properties, where practical, to encourage shared parking and shared access points on public and private streets. A cross-access easement must be recorded prior to the issuance of a building permit.

D. The design of ingress and egress facilities shall comply with the Bartlesville Municipal Code as well as any other applicable local, county, state, or federal regulation or requirement.

7.4.,3,46 Lighting. Whenever exterior lighting is provided on the site, the lighting facilities shall be arranged so that illumination is directed away from adjacent properties and rights-of-way and will not interfere with traffic. Light poles shall not be placed in street rights-of-way or utility easements adjacent to street rights-of-way, except by franchised utility companies or by the City of Bartlesville, as a part of a street lighting project. All outdoor lighting shall be by shielded fixtures. Light fixtures shall be parallel to the final grade and installed so that no direct light will shine beyond the subject property. The height of light poles and fixtures shall be approved through the site plan process. Planning staff may approve an outdoor lighting plan as directed by the MAPC as a condition of site plan approval.

The submitted lighting plan shall include the following:

1. A scale drawing of the site with all outdoor lighting locations shown;
2. Pole type and height of fixture from base of the pole;
3. Lamp type and size; and
4. Fixture mounting and orientation.

Allowable heights of light fixtures shall be measured from the light-emitting surface to the base of the pole location as follows:

1. Maximum height of sixteen (16) feet if located within fifty (50) feet of agricultural/residential zoned districts or any public right-of-way;
2. Maximum height of twenty (22) feet if located within fifty-one (51) feet to two hundred fifty (250) feet of an agricultural/residential zoned district or any public right-of-way;
3. Maximum height of thirty-five (35) feet if located a minimum of two hundred fifty-one (251) feet of an agricultural/residential zoned district or any public right-of-way;
4. Maximum fixture height shall not exceed thirty-five (35) feet.

Searchlights shall require a special permit. If granted, such permit shall not be valid for duration longer than forty-eight (48) hours on a specific property, and such permit shall not be granted more than two times in one year. Searchlights shall not be permitted inside residential areas.

7.4.,3,57 Outdoor Storage and/or Display of Materials or Goods. The outdoor storage or display of materials or goods is prohibited in an Office (O) and Neighborhood Shopping (C-2) Zoning District.

7.4.93,6 Location and Visual Screening of Dumpsters Refuse Collection Receptacles. Dumpsters Refuse collection receptacles, including dumpsters, recyclable materials eellecticollection garbage-cans, debris piles, or grease containers, located on property subject to view from any residential use, any RS or RE zoning district,.

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any public park or recreation facility, or any public street, alley, or right-of-way shall be screened from view as contained herein.

This provision shall also expressly apply to a significant change in location of the refuse collection receptacle. C

that are at least as tall as th

ials, whether public or private.

This provision shall also expressly a expansion of a use or a significant chan-ge-in4ecation of the-elumpster.

A. Outdoor refuse collection receptacles shall not be located in:

1. A required front yard setback or a required exterior side yard setback;

2. In front of the front plane of the principal structure;
 3. Within any required setback area required landscaping, buffer, or screening area which abuts and adjacent residential use
 4. within any area used to meet the minimum required landscaping, off-street parking, or loading areas; or
 5. In any manner which obstructs or interferes with any designated vehicular or pedestrian circulation routes either on or off-site.
- B. Each refuse collection receptacles shall be screened from view on all sides by a durable siteobstructin•enclosure consistina of an opaque fence or wall of between six feet (6') and eight feet (8') in height. Where access to the enclosure is visible from adjacent streets for residential properties, the access shall be screened with an opaque gate of the same height. The enclosure shall be maintained in working order, and remain closed except during the trash deposits and pick-ups.
- C. The lids of receptacles and screening enclosures without roof structures shall remain closed between pick-ups, and shall be maintained in working order.
- 7.4.10.3.7 Soil Erosion and Sediment Control. Soil erosion and sediment control-related measures are required for any regulated land disturbance activity, in accordance with the standards of this Section. All temporary measures and permanent erosion control and sediment control shall be maintained continuously in an effective working condition.
- A. General
1. Soil disturbance shall be conducted in such a manner as to minimize erosion. Soil stabilization shall consider the time of year, site conditions, and the use of temporary and permanent measures.
 2. Properties and channels located downstream from development sites shall be protected from erosion and sedimentation. At points where concentrated flow leaves a site, stable downstream facilities are required.
 3. Soil erosion and sediment control features shall be constructed prior to the commencement of upland disturbance.
 4. If de-watering devices are used, adjacent properties shall be protected. Discharges shall enter an effective sediment and erosion control measure.
 5. For detached single-family residential development occurring one lot at a time, alternatives to the standards of this Section may be approved by the City Engineer.
- B. Soil Stabilization
1. Temporary soil stabilization shall be applied to disturbed areas within 14 days of the end of soil disturbance to all areas that will not be final graded and stabilized within 45 days.
 2. Permanent stabilization shall be done within 14 days of final grading of the soil. Permanent soil stabilization measures shall be applied to channels (including bed and banks) within 14 days of the end of primary disturbance of the channel.
 3. Permanent or temporary vegetation shall not be considered established until sufficient ground cover is mature enough to control erosion.
 4. Earthen embankments shall be constructed with side slopes with a vertical to horizontal ratio no steeper than 1:3.
- C. Disturbed Areas
1. Disturbed areas draining less than 1 acre shall be protected by a filter barrier (including filter fences, straw bales, or equivalent measures) to control all off-site runoff. Vegetated filter strips
- ctors, provided
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- with a minimum width of 25 feet may be used as an alternative only here runoff if sheet flow is expected.
2. Disturbed areas draining more than 1 but fewer than 5 acres shall be protected by a sediment trap or equivalent control measure at a point down slope of the disturbed area.
 3. Disturbed areas draining more than 5 acres shall be protected by a sediment basin or equivalent control measure at a point down slope of the disturbed area.
- D. Sediment Control
1. All storm sewer facilities that are or will be functioning during construction shall be protected, filtered, or otherwise treated to remove sediment.
 1. A stabilized mat or aggregate underlain with filter cloth shall be located at any point where traffic will be entering or leaving a construction site to or from a public right-of-way, street, alley, or parking area.
- E. Removal of Temporary Measures
1. All temporary erosion and sediment control measures shall be removed within 30 days after final site stabilization is achieved or after temporary measures are no longer needed. Trapped sediment and other disturbed soil areas shall be permanently stabilized.
- 7.4.11,-3,8 Residential Protection Standards. The residential protection standards of this section are intended to protect residential properties and neighborhoods from the adverse impacts sometimes associated with adjacent multi-family dwellings and nonresidential development, whether public or private.
- A. Applicability and Exemptions. The standards of this section shall apply to all multi-family uses of three (3) or more units per structure and nonresidential development when such development occurs on a site located within 150 feet of any lot within an RS or RE district. Any lot so situated shall be considered a "protected" lot for the purposes of this section. The only exemption from these requirements that shall be considered by the Community Development Director shall be at the request of the owner or owners of the affected property or properties when stated in writing a preference for a standard which is less stringent than that which these standards would require.
- B. Residential Protection Screen. Whenever a development regulated by this Section adjoins or faces property subject to these residential protection standards, the following screening shall be required:
- .An opaque ornamental fence, masonry or rock wall or dense evergreen hedge or effective equivalent as approved by the Community Development Director, having a height not less than six (6) feet and not more than eight (8) feet, shall be constructed and maintained in good condition along the side and/or rear lot line up to, but not beyond the abutting residential setback building line. Where a regulated development faces any protected property with an intervening public right- of-way, an ornamental fence, masonry or rock wall or dense evergreen hedge or effective equivalent as approved by the Community Development Director, having a height not less than three (3) feet and not more than four (4) feet shall be constructed and maintained in good condition along the lot line.

required landscaped buffer.

C. Loading Operations. No use subject to Residential Protection Standards may conduct loading or unloading operations between the hours of 10:00 p.m. and 6:00 a.m.

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7.1.3.8

lg trees and provide guidelines for the protection development, or redevelopment.

"|| • • '

from the base) preserved in an area where landscaping is required by this ordinance-the developer

shall be given credit for two trees as required by this- ordinance. •

y Planner shall be considered for credit. The landscape ph

er and height), condition and common name ()Teach tree to be preserved for which the applicant is requesting tree credits.

acement trees will be required when any tree that was shown on a landscape plan is removed or dies. Any tree with a caliper of less

than tlftee inches shall be replaced by

with a minimum caliper of three inches.

7.4.12 Service Facilities. Service facilities, to include but not limited to water supply facilities, sanitary sewers, fire protection services, and any other utility services, both on and off site, shall be provided as is necessary for the proper development of the

site. The provisions of such facility shall be as regulated by the standards contained in the Subdivision Regulations for the

Bartlesville-Washington County Metropolitan Planning Area. The sanitary sewer expansion fee may be imposed as applicable in

accordance with Ordinance

#3062.

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EXHIBIT B

AMENDED SIGN REGULATIONS

7.11 SIGNS AND SIGN STRUCTURES, INCLUDING BILLBOARDS ARTICLE I. IN GENERAL

Sec. 7.11.1. Purpose. These regulations balance the need to protect the public safety and welfare, the need for a well maintained and attractive community, and the need for adequate identification, communication, and advertising. These regulations have the following specific objectives:

A. To promote the creation of an attractive visual environment that promotes a healthy economy by:

a. Permitting businesses to inform, identify, and communicate effectively;

b. Preserving natural beauty and to protect property values by promoting reasonable, orderly, and effective display of business and related signs; and

c. Directing the general public through the use of signs while maintaining attractive and harmonious application of signs on the buildings and sites.

B. To protect and enhance the physical appearance of the community in a lawful manner that recognizes the rights of property owners by:

a. Encouraging the appropriate design, scale, and placement of signs;

b. Encouraging the orderly placement of signs on the building while avoiding regulations that are so rigid and inflexible that all signs in a series are monotonously uniform;

c. Assuring that the information displayed on a sign is clearly visible, conspicuous, legible and readable so that the sign achieves the intended purpose; and

d. Preserving the quality of urban life in the community by assuring the compatibility of signs with surrounding land uses.

C. To foster public safety along public and private streets within the community by assuring that all signs are in safe and appropriate locations by:

a. Protecting the public investment in streets and highways;

b. Promoting the safety and recreation value of public travel; and

c. Improving the safety of the citizens and visitors to the City of Bartlesville by restrictions upon the size and location of certain types of signs or by the elimination of certain types of signs.

D. To have administrative review procedures that are the minimum necessary to:

a. Balance the community's objectives and regulatory requirements with the reasonable advertising and way finding needs of businesses.

b. Allow for consistent enforcement of the Sign Code.

c. Minimize the time required to review a sign application.

d. Provide flexibility as to the number and placement of signs so the regulations are more responsive to business needs while maintaining the community's standards.

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Sec. 7.11.2 Requirements of General Applicability

A. Exempted Signs: The following signs are exempt from these regulations.

1. Any public purpose/safety sign and any other notice of warning required by a valid and applicable Federal, State or local law, regulation or resolution.

2. Integral, decorative or architectural features of a building, or works of art that do not include a commercial message.

3. Insignia of governmental or nonprofit organizations when not displayed in connection with a commercial promotion or as advertising.

4. Religious and other holiday lights and decorations containing no commercial message, and displayed only during the appropriate time of the year.
 5. Flags of the United States, the State of Oklahoma, and any other flag adopted or sanctioned by the Bartlesville City Council or Washington County Board of Commissioners. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes.
 6. Historic Landmark Signs, as defined in Section 7.11.3.
 7. Building and street address markers.
 8. Tablets, grave markers, headstones, statuary or remembrances of persons or events that are noncommercial in nature and tablets such as memorials or cornerstones, provided such are not located on public right-of-way.
 9. The name, date of erection and use of building when built into its walls.
- B. Prohibited Signs: The following signs are prohibited.
1. Abandoned signs, as defined in Section 7.11.3.
 2. Snipe signs as defined in Section 7.11.3, and all other signs located on trees, utility poles, public benches or any other form of public property or within any public right-of-way unless explicitly permitted by the regulations. The person, business, or organization who owns or is advertised or identified on the sign shall be presumed to have permitted the placement of the sign in the absence of evidence to the contrary. Snipe signs are hereby declared to be abandoned property and are subject to being removed by any person.
 3. Human signs, as defined in Section 7.11.3, when located on public right-of-way or public property.
 4. Any sign which includes animation, any visible moving part, osculating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that move, change, osculates, or visibly alters in appearance in a manner that is not permitted by these regulations.
 5. Portable signs, as defined in Section 7.11.3.
 6. Animated, moving, flashing, or rotating signs; Three-dimensional (3D) objects, such as vehicles, animals, instruments or other figures; propellers, wind-powered or other similar devices or objects; Inflatable signs, 3-D free form, or similar irregular inflatable objects, tethered balloons larger than twelve inches (12") in diameter, air-dancers, streamers, searchlights, strobe lights, and any clearly similar features; except those specifically exempt from regulation in Section 7.11.2(A), or signs permitted as temporary signs or electronic message centers as regulated herein.
 7. Any sign or portion of a sign which includes an electronic full-motion video display which may or may not include text, including televisions screens, plasma screens, digital screen, flat screens, LED screens, tri-vision technology, video boards and holographic displays.
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8. Signs in the bed of a truck, deck of a truck or trailer, or otherwise on a vehicle when the vehicle is placed in a location not normally expected for such vehicles, and the location apparently has the primary purpose of attracting attention or providing advertising.
 9. Signs located on a fence unless otherwise permitted by the provisions of this Section as a permanent or temporary sign.
 10. Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals.
 11. Merchandise, equipment, products, vehicles or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes.
 12. Any sign erected upon a roof, parapet, or roof-mounted equipment structure and extending above a roof, parapet, or roof-mounted equipment structure of a building or structure.
 13. Any sign which shall be configured to resemble a warning or danger signal or to cause a driver to mistake the sign for a warning or danger signal; any revolving beam or beacon of light resembling any emergency vehicle light or any sign made to resemble a traffic control sign, or other signs or attention getting devices that raise concerns substantially similar to those listed above.
 14. Any sign constructed of corrugated plastic, fabric, cloth, canvas, foam board, paper, cardboard, poster board, thin-gauge aluminum less than 1/8" thick, engineering wood products including plywood, chipboard, particle board, medium density fiberboard, oriented strand board, or similar products or other materials not specifically manufactured for the purpose of signage, unless otherwise approved by the Community Development Director.
 15. Other Prohibited Signs:
 - a. Throwing, dropping, placing, or distributing handbills or other advertising matter upon the sidewalks, streets, alley, or other public places.
 - b. Throwing or placing any circulars, handbills, samples, sticker, placard, poster, or other advertising matter in or on any motor vehicle.
 - c. Any person, business, or organization which is advertised or identified on such signs shall be presumed to have permitted the placement of the sign in the absence of evidence to the contrary.
- C. Signs which do not require a sign permit. The following signs shall not require a permit. However, they shall conform to any applicable sections of this ordinance or any other applicable codes, regulations, or ordinances adopted by the City of Bartlesville.
1. On-premise signs not visible from public streets.
 2. On-premise perforated window graphics or mesh window graphics with an opacity of 50% or less.
 3. All non-regulated on-premise signs or signs equal to or less than three (3) square feet in area per sign or six square feet in area total, in any residential district.
 4. Signs on a truck, bus, car, boat, trailer or other motorized vehicle and equipment provided all the following conditions are adhered to:
 - a) Primary purpose of such vehicle or equipment is not the display of signs.
 - b) Such signs are magnetic, decals, or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and do not break the silhouette of the vehicle.
 - c) Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and

actively used in the daily function of the business to which such signs relate.

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d) Vehicles and equipment are not used primarily as static displays, advertising a product or service, nor utilized as storage or shelter.

e) During periods of inactivity exceeding forty-eight (48) hours, such vehicles/equipment are not so parked or placed that the signs thereon are displayed to the public. Vehicles and equipment engaged in active construction projects and the on-premise storage of equipment and vehicles offered to the general public for rent or lease shall not be subjected to this condition.

4. Political signs, provided that such signs shall be removed within three (3) days after the election to which they refer. All such signs which do not exceed three (3) square feet may be located within the public right-of-way provided sight visibility for traffic along the abutting roadway is not impaired. Any such sign which exceeds three (3) square feet in area shall be placed on private property with approval of the property owner. Further, candidates or organizations identified on political signs shall be held responsible for compliance.

5. Nameplates, street address signs, and combination nameplate and street address signs containing no advertising copy, not exceeding two (2) square feet in area and limited to one (1) per street front per use for residential uses.

6. Street address signs, wall-mounted nameplates and wall-mounted combination nameplate and street address signs containing no advertising copy and not exceeding (6) six square feet in area for nonresidential uses.

7. Changing copy on a legal sign, either freestanding or attached; normal sign maintenance where no structural changes are made; or the changing of the interchangeable letters on signs designed for them. Change on any sign when an increase in square footage occurs shall require a permit.

8. Temporary, non-illuminated real estate signs, measuring not more than six (6) square feet in area, advertising the sale or rental of premises on which the sign is located. Such sign may remain on the property for a continuous period not to exceed 10 days following the sale of the property. In addition, one "Open House" sign may be placed on the property on the day of the open house only. Directional signs on private property with consent of the property owner may be utilized within the Bartlesville city limits on the day of an open house for a period of eight (8) hours or less. Directional signs on private property with consent of the property owner may be utilized outside the Bartlesville city limits during the sale of the property provided such signs are removed within ten (10) days following the sale of the property.

9. Temporary, non-illuminated signs not over forty (40) square feet in area, erected in connection with new construction work when displayed only during the actual construction work. Such signs shall be on the construction site and may identify the architects, engineers, contractors, and other firms involved in the construction and may advertise any product or the character or proposed use of the building. (See also Section 7.11.5.B for a larger sign.)

10. Temporary, non-illuminated on-premise signs advertising "help wanted" or "now hiring", measuring not more than six (6) square feet in area, to be displayed for a period not to exceed three (3) months with a period of one (1) month between signs.

11. A barber pole, animated or not, which is appurtenant to the barber business and affixed directly to the wall of the exterior of the occupied space. Barber poles shall be no taller than thirty-six (36)

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inches and no wider than ten (10) inches, and shall be located so as to not interfere with or pose a hazard to pedestrians.

12. A balloon sign, with or without a message, of twelve (12) inches or less in diameter, tethered in a fixed location with a maximum height of twelve (12) feet, as measured from the grade of the nearest pavement or top of pavement curb, and displayed for no more than two (2) days per week.

13. Temporary seasonal banners hung from parking lot light standards on private property of nonresidential property, provided the banner does not refer to a specific business, product, or sale.

Sec. 7.11.3. Definitions. The following words and phrases used in these Regulations shall have the following meanings:

Abandoned Sign. A sign which for a period of at least 180 consecutive days or longer no longer advertises or identifies a legal business establishment, product or activity.

Alteration. Any change in size or shape, which changes appearance of a sign, or a change in position, location, construction or supporting structure of a sign, except that a copy change on a sign is not an alteration.

Animation/Animated Sign. The use of action, motion, or color changes, or the optical illusion of action, motion or color changes, including a sign set in motion by movement of the atmosphere, or made up of a series of sections that turn, whether such movement or rotation is by human energy, mechanical or electronic means.

Area of Sign. Refer to measurement standards in Section 7.11.4.

Attached Sign. Any sign attached directly to a building other than temporary signs. Building signs include, but are not limited to, awning sign, building identification sign, canopy sign, marquee sign, mural, projecting sign, wall sign, and window signs.

Attraction or Reader Board. Any sign having changeable copy for the purpose of advertising events, sales, services or products provided on the site. Attraction or reader boards shall be classified as a electronic message center (EMC) or a changeable copy sign (CCS).

Awning. A shelter extending from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

Awning Sign. Any sign painted on or attached to or supported by an awning.

Balloon Sign. A gas-filled balloon, tethered in a fixed location, that has a sign with a message on its surface or attached in any manner to the balloon.

Banner Sign. A temporary, lightweight sign that contains a message which is attached or imprinted on a flexible surface that deforms under light pressure and that is typically constructed of non-durable materials.

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Billboard. An off-premises sign.

Building Identification Sign. Any sign containing the name or address of a building and may include hours of operation and emergency information, such sign being located on the same site as the structure.

Canopy. A permanent roof-like shelter extending from part or all of a building or independent of a building, including any rigid material or cloth or fabric supported by a structural frame.

Canopy Sign. A sign that is permanently affixed to a canopy.

Changeable Copy Sign (CCS). A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means (for example, time and temperature units), or manually through placement of letters or symbols on a panel mounted in or on a track system.

Comprehensive Sign Plan (CSP). A coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site. The sign program shall include, but not be limited to, indications of the locations, dimensions, colors, letter styles and sign types of all signs to be installed on a site.

Construction Sign or Project Development Sign. A temporary non-illuminated sign used to advertise or display contact information of property owners, opening dates, architects, contractors, engineers, landscape architects and/or financiers, who are engaged with the design, construction, improvement or financing of a residential subdivision with homes under construction within the subdivision to which it pertains or with a commercial project to which it pertains. Such signs are generally constructed of wood, metal or other similar materials. A construction sign or project development sign may include zoning information and advertise or announce future development on the site, however, in no case, shall such sign contain information that pertains to an off-premise use.

Directional Sign. A permanent instructional sign located on private property at or near the public right-of-way, directing or guiding vehicular traffic onto the property and/or toward parking or other identified locations on the property.

Electronic Message Center (EMC). A sign or portion of a sign that utilizes computer-generated messages or some other electronic means of changing copy, words, text, symbols, figures, or images by remote or automatic means, wherein the sequence of messages and rate of change is electronically programmed and can be modified by electronic process.

Freestanding Sign. A permanent sign that is affixed in or upon the ground, self-supporting by one or more structural members which may include a sign structure, fence or wall that is not an integral part of a building, in a fixed location and not attached to a building. Freestanding signs include, but are not limited to, monument signs and pole signs.

Footcandle. A measure of illumination on a surface that is one foot from a uniform source of light of one candle and equal to one lumen per square foot.

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Flashing. Flashing shall mean a pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated, employs inverse illumination, or operates with transitory bursts for periods of less than three (3) seconds for an alternating or changing message or less than six (6) seconds for a single message. This term shall include blinking, strobe, and twinkling illuminations. Animation, as defined, shall not fall under the definition of flashing.

Governmental Sign. A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulation.

Grade. The ground level of the site at the property line located at the closest distance to the sign.

Height of Sign. Refer to measurement standards in Section 7.11.4.

Historic Landmark Sign. An existing sign, that by its construction materials, unusual age, prominent location, unique design, or craftsmanship from another period, contributes to the cultural, historic, or aesthetic quality of the city's streetscape, and for such reason should be protected, preserved, and restored. Historic landmark signs are exempt from these Regulations.

Holiday Decorations. Signs or displays including lighting which are a non-permanent installation celebrating national, state, and local holidays or holiday seasons.

Human Sign. A sign that is carried, waved, held by, or otherwise attached to a person, and/or a person dressed in costume or other article of clothing, for the purposes of advertising or otherwise drawing attention to business, commodity, service or product.

Illegal Sign. Any sign placed without proper approval or permits as required by this Code at the time of sign placement. Illegal sign shall also mean any sign placed contrary to the terms or time limits of any permit and any nonconforming sign which has not been brought into compliance with any applicable provisions of this Code.

Illuminated Sign. Any sign for which an artificial source of light is used in order to make readable the sign's message, including internally and externally lighted signs and reflectorized, glowing or radiating signs.

Incidental Sign. A sign that provides functional or instructional information, as determined by the Community Development Director, that is incidental, supplemental, or accessory to a permitted use on the site, such as entrance, exit, telephone, restrooms, etc. Such signs shall not be included in the permitted sum of the sign area of identification signs, provided such sign is not larger than necessary to serve the intended instructional purpose, and such sign is not in a location, nor includes design characteristics, including commercial copy or company logos, that constitute or serve the purposes of an identification sign.

Logo, Logogram, or Logotype. An emblem, letter, character, pictograph, trademark, or symbol used to represent any firm, organization, entity, or product.

Lot Frontage. The length of the property line abutting a public street.

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Marquee. A permanent roof-like canopy or projection extending from part or all of a building face and constructed of some durable material which may or may not project over a public right-of-way. Commonly found over the entrance of a theater or hotel. See example in Section 7.11.6.D.2.

Marquee Sign. Any sign painted on or attached to or supported by a marquee. See example in Section 7.11.6.D.2.

Monument Sign. A freestanding sign that is detached from a building and having a solid-appearing support structure which is at least seventy-five percent (75%) the width of the sign face, constructed of a permanent material, such as concrete block or brick.

Mural, Sign. A picture on an exterior wall or surface of a building or structure which is intended to convey information to the public promoting or advertising a business, individual, product, or service through the use of text, language, logo, numerals, symbols, or pictorial depiction. See also definition of Super Graphic Sign.

Neon Sign. A sign with tubing that is internally illuminated by neon or other electrically charged gas.

Nonconforming Sign. A sign which was validly installed under laws or ordinances in effect at the time of its installation, but which is in conflict with the current provisions of this Code.

Off-Premises Sign. Any sign used for promoting an interest other than that of a business, individual, products, or service available on the premises where the sign is located, including, but not limited to a billboard.

On-Premises Sign. Any sign used for promoting a business, individual, product or service available on the premises where the sign is located.

Opacity. Restricting transmission of light, expressed as a percentage of light blocked.

Pole Sign. A freestanding sign that is detached from a building that is supported by one or more structural elements that together are less than one-third (1/3) the width of the sign face.

Political and Noncommercial Signs. Any sign designed for the purpose of supporting or opposing a candidate, proposition or other measure at an election or for any other noncommercial expression not related to the advertisement of any product or service or the identification of any business.

Portable Sign. Any movable sign not permanently attached to the ground or a building and easily removable using ordinary hand tools; Any sign which is intended to be movable or capable of being moved, whether or not on wheels or other special supports, with or without lights, with or without arrows, commonly available on a crossbar stands or trailer so as to be capable of being pulled by a motor vehicle from one location to another, typically containing single or double-sided polycarbonate faces with changeable letters or numbers within tracks.

Private Street. Primary access ways that are intended to provide vehicular access to multiple commercial businesses and/or ownerships and are not dedicated as a public thoroughfare.

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Projecting Sign. A sign which projects from and is supported by a wall or parapet of a building with the display surface of the sign in a plane perpendicular to or approximately perpendicular to the wall.

Real Estate Sign. Any non-permanent sign pertaining to the sale, exchange, lease, rental, or availability of land, buildings, condominium and similar units, or apartments. Such signs may include building name and address, price and amenities, identity of seller or broker, and similar information.

Revolving or Rotating Sign. An animated sign. See definition of animation/animated sign.

Sandwich Board Sign. Also known as an A-frame sign shall be defined as a portable sign or structure composed of two (2) sign faces mounted or attached on one side so as to form a basically triangular vertical cross section through the faces allowing the sign to stand in an upright position.

Sight Triangle. Located at the intersection of two public streets, or at the intersection of a public street and a private driveway, a triangle formed as follows:

Street/Street Intersection

4
STREET/ AVENUE

POINT OF INTERSECTION

STREET/AVENUE A CURB

C A = Curb line,

Thirty (30) feet B=Ce rb line,

Thirty (30) feet

Street/Driveway Intersection

STREET/AVENUE POINT OF INTERSECTION

CURB

I [Ili SIDEWALK

A Center line of driveway Twentyind PS') fed B= Curb line,

Twenty-five (25) feet

Driveway

a. Street/Street Intersection: Measuring from the point of intersection of the front and side lot lines a distance of 30' along said front and side lot lines and connecting the points so established to form a sight triangle on the area of the lot adjacent to the street intersections.

b. Street/Private Driveway Intersection: Measuring from the point of intersection of the front lot line and the sides along the driveway a distance of 25' along each and connecting the points so established to form two sight triangles on the area of the lots adjacent to either side of the private driveway.

Sign. Any object, graphic representation, or device visible from the right-of-way of a sidewalk, street or highway, which is used to advertise, identify, inform, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, graphics, figures, designs, symbols, fixtures, colors, motion, illumination or projected images, together with the frame, background, and supports, braces, guys, or anchoring thereof, and any electrical components.

Sign Face. An exterior display surface of a sign including non- structural trim exclusive of the supporting structure.

Site. All the contiguous ground area legally assembled into one development location which is a zoning lot., which is defined as a permanent parcel (lot of record), multiple lots of record, or a portion of a lot of record.

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Snipe Sign. Any sign of any materials, including, but not limited to, paper, cardboard, wood or metal when tacked, nailed, or attached in any way to trees, poles, stakes, fences or other objects where such sign may or may not be applicable to the present use of the premises upon which the sign is located.

Special Event Sign. Any temporary sign advertising or pertaining to any civic, patriotic or special event of general public interest.

Street Frontage. The distance of the linear frontage of a lot or lots along a public street which provides a public access thereto.

Supergraphic Sign. A painted design which covers all or a major portion of a wall, building, or structure which is intended to convey information to the public promoting or advertising a business, individual, product, or service through the use of text, language, logo, numerals, symbols, or pictorial depiction. See also definition of Mural Sign.

Temporary Sign. Any sign intended to display or convey a message of a transitory or temporary nature, that is not permanently affixed to a building, structure, or ground.

Vehicle Sign. Any sign permanently or temporarily attached to or placed on a vehicle or trailer.

Wall Sign. Any sign attached to or painted on the wall of a building or structure in a plane parallel or approximately parallel to the plane of said wall and that projects not more than eighteen (18) inches from the building or structure wall. Also includes signs affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed.

Window, Area of. The area of a single window includes all of the window panes in an area that is separated by mullions, muntins, or other dividers which are less than four (4) inches wide.

Window Sign. Any sign, excluding open and closed and/or business hours signs, which are viewable through and/or affixed in any manner to a window or exterior glass door such that it is intended to be viewable from the exterior (beyond the sidewalk immediately adjacent to the window), including signs located inside a building, but visible primarily from the outside of the building. A window sign is considered an attached sign. Any on-premise perforated window graphic or mesh window graphic with an opacity of 50% or less shall not be considered a window sign and does not require a sign permit as provided in Section 7.11.2.C.

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Sec. 7.11.4. Measurement Standards

A. Determining Sign Area and Dimensions

1. For a sign which is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area and dimensions shall include the entire portion within such background or frame and shall be based upon the outer dimensions of the frame or cabinet.

2. For a sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, the area and dimensions of the sign shall encompass a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, the frame, and any applied background that is not part of the architecture of the building. When separate elements are organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display areas, including the space between different elements.

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Sign Area #1

Sign Area #2

Air under sign not counted as sign area

INDIVIDUAL LETTERS

WITHIN A CABINET FRAME

IRZALLY:

GOOD

PIZZA

.11/MINESIM ,1111^15,711,,,,Ess,,4E4

Open Space — part of sign area

MEI

,71

Sign Area

•

Minor Protrusion —
not included in sign area

3. Minor appendages to a particular regular shape, such as an apostrophe, as determined by the Community Development Director, shall not be included in the total area of a sign.

4. For a freestanding sign, the sign area shall include the frame, if any, but shall not include:

a. A pole or other structural support unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device, or a part of a display device.

b. Architectural features which contain no lettering or logos, that are either part of the building or part of a freestanding structure, and are not an integral part of the sign, and which may consist of landscaping, building or structural forms complementing the site in general.

Base under sign not counted as sign area

5. Multi-faced Signs: The sign area for a sign with more than one face shall be determined by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back or at an angle of forty-five (45) degrees or less, and when such sign faces are part of the same sign structure, the sign area shall be determined by the measurement of one of the faces. Where the two (2) sides of a multi-faced sign are not of equal size, the larger of the two (2) sides is used to determine the sign area.

Multi-Faced Signs

2 Sided Flat Sign

Count one sign face

2 Sided Angled Sign

45° or less

Count one sign face

2 Sided Angled Sign

Over 45°
Count both sign faces
N
s G
OVER 45°
45° AND UNDER
-

B. Determining Sign Height

1. The height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign, except as provided in the following paragraph. A freestanding sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb.
2. Where a freestanding sign or sign structure is mounted along a roadway that has a higher grade level as compared to the grade level directly below the freestanding sign or sign structure, then the freestanding sign or structure's height will be measured from the roadway grade level to the highest point of the freestanding sign or sign structure.
3. Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.

C. Determining Street Frontage

Street frontage is that portion of a lot or parcel of land that borders a public street from which public access is provided. Street frontage shall be measured along the common lot line separating said lot or parcel of land from the public street, highway, or parkway.

1. Where a lot has public access from more than one street frontage, the linear footage of each frontage shall be calculated separately for the purposes of determining allowable sign area as provided for herein. Public access from an alley shall not be included in the measurement of street frontage.
2. For multi-tenant buildings, street frontage is equivalent to the primary frontage of the tenant space on the first floor as measured from the centerline of the party walls. This shall be the basis for determining the permissible sign area for attached signs for each tenant space, unless otherwise directed by the lot owner. The Community Development Director may exclude any wall length of a building frontage that is clearly unrelated to the frontage criteria.

Alley

•
80'
L • • • • •
• • • • • OM • MO • 1.M • MI If ••111 r • NM Ma • •• • OM • ••
•
60'
INN • 1,1. • WWI • MN •

Major Arterial
Street Frontage for:

- Property A: 160' (Count both as one is a principal arterial)
- Property B: 100' (Count longest frontage)

ARTICLE II. ON-PREMISE SIGNS

Sec. 7.11.5. Residential Districts. On-premise signs are allowed as follows in all residential zoning districts:

A. Permanent Signs.

1. Residential developments and subdivisions and institutional uses permitted by right within a residential zoning district shall be permitted freestanding monument identification signs as follows.
 - a. Each development may locate a monument sign at each major entrance on private property, not to exceed thirty-two (32) square feet in sign area, to identify the overall development.
 - b. Monument signs shall be set back from the property line such a distance as is necessary to avoid location within the required sight triangle as defined in Section 7.11.3.
 - c. Monument signs shall not exceed eight (8) feet in height.
 - d. Walls attached to monument signs or within several feet of a monument sign are allowed and may include the name of the project, however, said wall shall not exceed four (4) feet in height.
 - e. The name of the development shall be in individually applied lettering and with external illumination only.
 - f. Residential subdivisions may include a monument sign within a median area at an entry if such monument signs are located within a platted public right-of-way within a sig-nage easement as identified on the recorded plat thereof, and if the Homeowners Association for said subdivision assumes, in writing, all costs and responsibilities for the maintenance of said monument sign.
 - g. All such signs shall be externally illuminated, except signs for institutional uses which may be internally illuminated, provided it is made by constant light, and does not exceed seventy (70) foot candles as measured at a distance of two (2) feet from the source of light.
2. Electronic message centers (EMC) are prohibited in residential zoning districts, except for institutional uses permitted by right, which are permitted an electronic message center subject to the following restrictions:
 - a. Shall comprise no more than 50 percent or 16 square feet of the overall sign area of the sign structure, whichever is less;
 - b. Display shall stay constant for a period no less than twelve (12) seconds, shall transition between messages and/or message frames instantly, and does not appear to change, travel, scroll, flash, spin, rotate, fade, dissolve, move, vary color, or vary light intensity;

c. Shall be equipped with auto-dimming technology that automatically dims as light conditions change, from sunset each night to sunrise the next morning, resulting in a maximum light emanation as measured from the nearest residential property line of no more than 0.2 footcandles over ambient lighting conditions; or shall be completely turned off between the hours of 10:00 p.m. and 6:00 a.m., seven days a week.

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3. Home occupations in residential districts are permitted signage as set forth in the Zoning Regulations.

B. Temporary Signs.

1. Real Estate Signs. See Section 7.11.2.C.8.

2. Construction Signs or Project Development Signs. One (1) non-illuminated sign (as defined in Section 7.11.3) not exceeding ninety-six (96) square feet in area or twelve (12) feet in height may be placed along each major street frontage for a residential subdivision which is in the process of development and initial sales. Such signs shall be removed after completion of the last house or when eighty percent (80%) of the lots have been sold, whichever occurs first. Signs of forty (40) square feet or less are permitted without a permit as per Section 7.11.2.C.9.

3. Special Event Signs. A sign advertising or pertaining to any civic, patriotic, or special event of general public interest for noncommercial purposes.

a. Limited to one (1) per street frontage and located on the same zoning lot as the event is to take place. (See also Off-Premise Signs)

b. May be erected and maintained for a period not to exceed thirty (30) days and shall be removed within three (3) days of the termination of such event.

Section 7.11.6. Non-Residential Districts. The standards for permanent on-premise signs in nonresidential districts as set forth herein are based primarily upon a sign's function, its placement on the building or site, the amount of time the motorist has to view the sign, and the distance from which the sign will be viewed.

The following standards, criteria, and provisions apply to all permanent on-premise signs in non-residential districts and recognize the fact that signs are an important factor in the success of a business, and that the regulation of signs must balance both public and private interests. Numerous interrelated factors contribute to whether a sign is able to fulfill its primary purpose: to be able to be read by its intended audience, generally the passing motorist. Key among those factors is sign design, which includes elements such as letter height, color, style, spacing of lettering or logos, color contrasts between the message and the background, and lighting, which is not regulated herein. Other factors, such as sign location and size, which are critical in determining the visibility and legibility of signs, and which are regulated herein, are based upon reasonable parameters for design that incorporates the normal range of words and elements that are needed to permit signs to be read by their intended audience. Generally, the smaller signs will be associated with lower speed limits and the larger signs associated with higher speed limits.

The standards contained herein for permanent on-premise freestanding and attached signs are based upon the linear street frontage of the lot and the functional classification of the abutting street, as identified by the most current version of the Bartlesville Street Functional Classification Map maintained by the City of Bartlesville Community Development Department. Where uncertainty exists as to the functional classification of the street, such classification shall be determined by the Community Development Director based upon criteria of the existing street to include, but not limited to, speed limit, type of traffic, traffic counts, number of traffic lanes, and type, number, and size of access to abutting properties.

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Exception: Sites located within the Downtown Redevelopment District may contain more restrictive provisions. Additionally, sites zoned PUD (Planned Unit Development) are required to submit a Comprehensive Sign Plan (CSP) as part of the PUD approval process.

A. Maximum Number of Permanent On-Premise Signs for Non-Residential Districts There is no maximum number of permanent signs for either freestanding or attached signs. A lot may have any number of signs provided such signs comply with the maximum sign area, height, separation, and any other applicable requirements as set forth herein.

B. Maximum Size of Permanent On-Premise Signs for Non-Residential Districts

1. The following table identifies by sign type the maximum square footage of sign area permitted per sign.

Table 1. Maximum Size of On-Premise Permanent Signs

FREESTANDING SIGNS (1)

STREET

FUNCTIONAL

CLASSIFICATION

Max Sign Area

Per Sign

(square feet

Max Sign Area

Per Sign

(square feet

ATTACHED SIGNS (3)

Total Sign Area

for each Linear

Foot of Street

Frontage (2)

2.0 st'2

1.75 sf2

1.50 st-2

1.25 sf2
1.0 sf2.
Total Sign Area
for each Linear
Foot of Street
Frontage (2)
2.0 sc-'
1.75 st-2
1.50 sf2
1.25 sr
1.0 sl=
200 ft2
175 ft= 150 ft" 125 ft= 100 ft=
200 ft= max 175 ft' max 150 ft2 max 125 ft= max 100 ft= max

Principal Arterial (4) Major Arterial Minor Arterial Major Collector Minor Collector or Local Street

(1) Freestanding signs include, but are not limited to monument and pole signs.

(2) Refer to Section 7.11.4.C.

(3) Attached signs include, but are not limited to awning, building identification, canopy, marquee, mural, projecting, wall, and window signs.

(4) Includes properties located within 1,000 feet of a principal arterial which has limited access to such principal arterial.

2. Transfer of Allowed Sign Area from Freestanding to Attached Signs A property owner may increase the total maximum sign area for attached signs by transferring up to 25% of the total sign area allowed for freestanding signs, if a reduced size freestanding sign is used. If no freestanding sign is used, a property owner may transfer up to 50% of the total sign area allowed for freestanding signs to attached signs. However, in no case shall any portion of the allowed sign area for attached signs be transferred to freestanding signs.

C. Maximum Height Limit for Permanent On-Premise Freestanding Signs

The maximum height for an on-premise permanent freestanding sign is based upon the functional classification of the abutting roadway. Except as otherwise provided in this Section, no freestanding sign shall exceed the maximum height as provided in the following table.

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Table 2. Maximum Height for On-Premise Permanent Freestanding Signs

Roadway Functional Classification

Principal Arterial (2)

Major Arterial

Minor Arterial

Major Collector

Minor Collector or Local Street

(1) Refer to Section 7.11.4.B.

(2) Includes properties located within 1,000 feet of a principal arterial which has limited access to such principal arterial.

D. Additional Provisions Pertaining to Sign Types.

1. Freestanding Signs.

a. No portion of a freestanding sign shall be in, or project over, a public right-of-way.

b. No portion of a freestanding sign shall be located within one hundred (100) feet of any lot which is zoned RE, RS, RM, or RT.

c. No portion of a freestanding sign shall be located within a sight triangle as defined in Section 7.11.3 of these Regulations or in any manner which creates a sight obstruction between forty-two (42) inches and eight (8) feet above the existing grade for a distance of fifteen (15) feet from any intersection of driveway as measured along the property line.

d. No sign shall be erected that interferes or obstructs traffic flow or vehicular vision.

e. Freestanding signs may also contain an electronic message center or changeable copy sign subject to the restrictions identified within sub-section 3 below.

f. If more than one (1) on-premise freestanding sign is located on a site, there shall be a minimum spacing of one hundred fifty (150) feet between any two signs.

g. When more than one (1) user occupies a zoning lot, the owner of the lot shall be responsible for allocating permitted freestanding signs among the users.

h. Monument Sign Bonus. In order to promote a more aesthetic attractive appearance of freestanding signs within the community, a bonus is offered to encourage the installation of monument signs over pole sign, as follows:

1) The area of any freestanding sign may be increased by fifteen percent (15%) when the freestanding sign is constructed as a monument sign, rather than a pole sign, with at least fifty percent (50%) of the sign structure comprised of brick, stone, or architectural block.

2) The area of any freestanding sign may be further increased by an additional ten percent (10%) if said monument sign is placed within a landscaped area. The landscaped area shall contain a minimum of two (2) square feet for each square foot of the sign area.

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Maximum Height in

Feet (1)

30

25

20
15
10

SKIN & VEIN CENTER

4041 Rosebud Line

Monument Sign

Pole Sign

Multi-Tenant Sign

2. Attached Signs.

a. No portion of an attached sign shall be located within 100-feet of any lot which is zoned RE, RS, RM, or RT.

b. Attached signs of any type shall not extend more than twelve (12) inches above the roof or parapet line of a building.

c. For multi-tenant buildings, street frontage is equivalent to the primary frontage of the tenant space on the first floor as measured from the centerline of the party walls. This shall be the basis for determining the permissible sign area for attached signs for each tenant space, unless otherwise directed by the lot owner.

d. Attached signs may also contain an electronic message center or changeable copy sign subject to the restrictions identified within sub-section 3 below.

e. Attached signs may be located upon any building wall or facade which is visible from a public street (excluding alleys) or from any public parking lot, except where prohibited in 2a. above.

f. Attached signs can include any of the following type of signs subject to the following restrictions. Each building or tenant may have multiple attached signs provided the total square footage of all attached signs does not exceed the maximum area permitted in Section 7.11.6.B above.

1) Projecting signs when designed and placed for the purpose of identifying the businesses for a pedestrian walking along the same side of the street as the business they seek or under a continuous rain canopy projecting from the building. Projecting signs shall have a maximum area of thirty (30) square feet; the bottom of the sign shall be a minimum of eight (8) feet above the sidewalk; the sign shall not project more than five (5) feet from the wall of the building on which the sign is placed; and the adjacent projecting sign shall not be closer than twenty (20) feet.

2) Building directog signs for the purpose of identifying first floor tenants that do not have outside building frontage or upper floor tenants permitted up to a maximum of eight (8) square feet

3) Marquee, Canopy and Awning Signs shall have a minimum clearance of eight (8) feet over the ground level unless projecting over a vehicular right-of-way, in which case clearance shall be fourteen (14) feet.

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4) Mural or Supergraphic Signs shall be limited to only one wall, facade, face, or surface of a building.

5) Wall Signs shall not project more than eighteen (18) inches from the building or structure wall to which it is attached and shall not be greater than eighty percent (80%) of the length of the tenant space or the length of the building frontage for single tenant buildings. The area of any wall sign may be increased by twenty-five percent (25%) when the building is setback at least two hundred (200) feet from the public right-of-way and may be further increased an additional twenty-five percent (25%) for each additional two-hundred (200) feet of setback, or fraction thereof, up to a maximum increase of one hundred percent (100%). Wall signs may be placed upon any building wall which can be viewed from a public right-of-way, provided it does not face the front, side or rear lot line of any abutting lot in any RS, RE, RM, or RT district.

6) Window Signs shall not exceed fifty percent (50%) of the window surface area on which it is placed or through which it is viewed, however, window signs that are not visible from the abutting public street shall not be counted as an attached sign.

Examples of Attached Signs:

Canopy or Awning Sign

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Examples of Attached Signs:

Wall Sign

Window Sign

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3. Electronic Message Center/Changeable Copy Signs.

a. Electronic message centers (EMC) and changeable copy signs (CCS), both electronic and nonelectronic, may be utilized on any permitted sign, whether freestanding or attached, and shall be counted towards sign area limitations applicable to the subject site, and subject to the additional limitations established herein.

1) EMCs may convey its message through either static or alternating message as set forth herein. Animated messages, extended video messages, flashing, or rapid scrolling, and strobe lights are prohibited.

2) Audio messages, and emissions of smoke, fumes, and vapors are prohibited.

3) EMCs and CCSs in stadiums or sports fields are not considered signs if they are oriented inward to the playing field.

4) The commercial content of EMCs and CCSs is limited to on-site advertising only, however, EMCs and CCSs may also contain a non-commercial message, such as time and temperature.

5) Only one EMC or CCS sign is permitted on a zoning lot for each street on which the development fronts and the sign is visible, unless additional EMCs or CCSs are approved by the Metropolitan Area Planning Commission as part of a Comprehensive Sign Plan (see Section 7.11.6.F below).

6) Any EMC located within one hundred fifty (150) feet of a lot which is zoned RE, RS, RM, or RT district shall be equipped with auto-dimming technology that automatically dims as light conditions change, from sunset each night to sunrise the next morning, resulting in a maximum light emanation as measured from the nearest residential property line of no more than 0.2 footcandles

over ambient lighting conditions; or shall be completely turned off between the hours of 10:00 p.m. and 6:00 a.m., seven days a week.

7) All EMC signs shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.

8) If an EMC or CCS is installed on a property, no temporary signs are allowed for the property during any time that the EMC or CCS is in use.

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Changeable Copy Sign —

Non-Electronic

Changeable Copy Sign —

Electronic

Electronic Message

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b. The following additional conditions shall apply to the use of electronic message centers (EMCs) and changeable copy signs (CCS) on a site based upon the functional classification of the abutting street:

1) Principal Arterial and Major Arterial Streets:

a) The EMC or CCS does not exceed fifty percent (50%) of the total sign area permitted on the site and no more than eighty percent (80%) of the permitted sign area upon which it is utilized percent;

b) The display of the entire Electronic Message Center stays constant for a period of at least three (3) seconds.

c) Transition time between messages and/or message frames is instantly or in a transition of less than one (1) second, and does not appear to change, travel, scroll, flash, spin, rotate, fade, dissolve, move, vary color, or vary light intensity;

d) The EMC is required to be equipped with a sensor or other device that automatically determines the ambient illumination and shall be programmed to automatically dim to a level which is no greater than 0.3 footcandles over ambient light at all times of the day and night., as measured at ground level using the EMC Illumination Measurement Criteria recommended by the International Sign Association dated April 2011.

e) No single electronic message is permitted to be repeated by flashing more than once every six (6) seconds.

2) Minor Arterial and Major Collector Streets:

a) The EMC or CCS does not exceed thirty percent (30%) of the total sign area permitted on the site and no more than fifty percent (50%) of the permitted sign area upon which it is utilized;

b) The display of the entire Electronic Message Center stays constant for a period of at least three (3) seconds.

c) Transition time between messages and/or message frames on an EMC is instantly or in a transition of less than one (1) second, and does not appear to change, travel, scroll, flash, spin, rotate, fade, dissolve, move, vary color, or vary light intensity;

d) The EMC is required to be equipped with a sensor or other device that automatically determines the ambient illumination and shall be programmed to automatically dim to a level which is no greater than 0.3 footcandles over ambient light at all times of the day and night., as measured at ground level using the EMC Illumination Measurement Criteria recommended by the International Sign Association dated April 2011.

e) No single electronic message is permitted to be repeated by flashing more than once every six (6) seconds.

E. Other Permanent Signs. The following on-premise signs shall be permitted in all non-residential districts in accordance with the following standards, however, such signs shall not be counted as part of the maximum square footage of sign area as set forth in Section 7.11.6.B, Table 1 above.

1. Menu Boards.

a. If a site is occupied by a use which includes a drive-through facility, a maximum of two (2) menu boards not exceeding a maximum of eight (8) feet in height with a combined total of seventy-two

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(72) square feet of sign area shall be permitted. Such signs shall be oriented to internal vehicular traffic and not directed to traffic on adjacent streets.

b. If a site is occupied by a use which has drive-in stalls, one drive-in menu board not exceeding a maximum of six (6) feet in height with a total of nine (9) square feet of sign area shall be permitted per stall.

2. Permanent Banners. Where banners are used as permanent signs, they shall be included in the total square footage of permanent signage allowed on the site, shall be mounted in or on a permanent sign structure, and shall comply with all provisions of this Section, including all construction and structural requirements, regardless of its size. A new business or a business in a new location may use a temporary banner sign for business identification while awaiting permanent signage for a period not to exceed one hundred twenty (120) days, provided the size shall not exceed the allowable square footage for a permanent sign.

3. Incidental signs, including instructional, informational, and directional signs. Incidental signs may be displayed in association with an authorized use and erected without number, provided the signs do not exceed four (4) square feet in area or four (4) feet in height, if freestanding. Incidental signs may include the company name and/or logo but shall not be oriented or located in any manner to constitute additional advertising.

F. Comprehensive Sign Plan (CSP). For the purpose of providing flexibility and incentives for coordinated, well designed sign systems for non-residential properties being developed as a unit, a comprehensive sign plan (CSP) may be considered. A comprehensive sign plan may be allowed for all existing or any new nonresidential developments of three or more separate tenant spaces which: (1) share either the same parcel or structure, or (2) use common access and parking facilities. A CSP requests approval

of a comprehensive sign permit establishing the size, location, and design of all signage on such property. Such a plan will establish signage criteria that is tailored to a specific development or location and which may vary from the provisions of this Ordinance, while promoting the use of signs which are aesthetically pleasing, of appropriate scale, and integrated with the surrounding site, buildings and landscape.

National or international franchises shall be given reasonable consideration with respect to company standard logos and lettering styles that are an integral part of the franchise image and identity. The consideration shall not be without restriction and shall be within the boundaries of sound zoning practice and planning and in harmony with the general purpose, spirit and intent of these regulations.

All comprehensive sign plans shall be reviewed by the Metropolitan Area Planning Commission (MAPC) and shall conform to all conditions imposed by said MAPC prior to the issuance of a sign permit. The comprehensive sign plan may contain elements that exceed the permitted height, area, and/or number of signs as specified herein if the MAPC find that:

1. The development site contains unique or unusual physical conditions, such as topography, proportion, size or relation to a public street that would limit or restrict normal sign visibility;

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2. The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing features that represent clear variation from conventional development; or

3. The proposed signage incorporates special design features, such as logos, emblems, murals, or statuary, that are integrated with building architecture.

All Comprehensive Sign Plans are subject to the following restrictions:

1. All CSPs shall include the location, size, height, construction material, color, type of illumination and orientation of all proposed signs.

2. All CSPs shall include all signage to be located within the boundaries of the subject site whether in excess of the provisions of the current sign regulations or not.

3. CSPs shall not propose a total sign area in square feet exceeding three (3) square feet of signage for every one (1) linear feet of street frontage of the subject property.

4. CSPs shall not include any prohibited signs.

Additionally, a Comprehensive Sign Plan is required for all Planned Unit Development (PUD) applications which involve either an existing or a new nonresidential development of three or more separate tenant spaces which: (1) share either the same parcel or structure, or 2) use common access and parking facilities.

G. Temporary Signs. In addition to permanent signs, on-premise temporary signs may also be placed on any non-residential site for a limited period of time as a means of publicizing special events such as grand openings, sales, new services, etc, subject to the following standards.

1. General Regulations for Temporary Signs.

a. If an EMC or CCS is installed on a property, no temporary signs are allowed for the property during any time that the EMC or CCS is in use.

b. No temporary sign shall be illuminated.

c. No freestanding temporary sign shall exceed the maximum height limit for permanent on- premise freestanding signs as set forth in Section 7.11.6.0 of these Regulations.

d. A temporary sign shall not exceed forty (40) square feet in area, unless the sign design has been sealed by an Oklahoma Registered Engineer confirming compliance with all applicable sign construction and structural standards; however, a temporary sign shall not, in any case, exceed ninety-six (96) square feet in area.

e. All temporary signs attached to a building or structure shall be parallel to the walls of the business and shall be adequately secured through grommets with support anchors on at least four (4) corners, and pulled tight to minimize the amount of wind that can get behind it. Any freestanding temporary sign shall be mounted to a rigid assembly adequate to maintain the sign upright in a moderate wind.

f. A new business or a business in a new location may use a temporary banner sign for business identification while awaiting permanent signage for a period not to exceed one hundred twenty (120) days, provided the size shall not exceed the allowable square footage for a permanent sign. When used in this manner, such temporary banner will not count toward the time limit identified in 2.a below.

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2. The following temporary signs, as further defined in Section 7.11.3, shall be permitted in accordance with the following standards:

a. Banners, including tear drop signs, feather signs, or swooper signs.

1) Regardless of the number of businesses located on a single property, banners shall be permitted for each business as set forth herein; however, no more than one (1) freestanding banner per each one hundred (100) linear feet of street frontage may be displayed at any one time on any single property.

2) Shall be displayed a maximum of sixty (60) consecutive days, and not more than one hundred twenty (120) days in the same calendar year.

3) A permit shall be required for each temporary sign displayed and shall be valid for a period of thirty (30) days after which it may be renewed one time for an additional thirty (30) days.

b. Special Event Signs.

1) Limited to one (1) per street frontage and located on the same zoning lot as the event is to take place. (See also Off-Premise Signs)

2) May be erected and maintained for a period not to exceed thirty (30) days and shall be removed within three (3) days of the termination of such event.

c. Sandwich Board Signs/A-frame Signs.

- 1) Shall be permitted within the public right-of-way only in a C-4 (Central Commercial) zoning district, with proper insurance as may be required by the City, within twelve (12) feet of the entrance to the professional, commercial or business activity advertised on the sign.
 - 2) Limited to a maximum of six (6) square feet of sign area per side with a maximum width of three (3) feet and a maximum height of four (4) feet.
 - 3) No limit on the number of display days per calendar year.
 - 4) Shall be displayed only during the hours the premises or business is open to the general public, and shall be removed by the end of business each day.
 - 5) Limited to not more than one (1) sign per company/business, except in the case of multiple businesses on one property, not more than two (2) signs per property.
 - 6) Shall not encroach into any portion of a required handicapped ramp; shall not be located closer than two (2) feet from the face of curb to the nearest sign edge leaving a minimum width of five (5) feet of unencumbered walkway for pedestrian traffic.
- d. Temporary Use Signs. Temporary signs that are approved as part of a temporary use, as per Section 7.7.2 of the Zoning Regulations:

- 1) Shall be located on the same zoning lot as the temporary use.
- 2) Shall be limited to no more than one (1) per street frontage.
- 3) Shall be erected no sooner than seven (7) days before the commencement of the temporary use and removed within twenty-four (24) hours following the termination of the temporary use.

e. Human Signs.

- 1) Permitted only as an on-premise sign.
- 2) Total sign area displayed shall not exceed twelve (12) square feet or four (4) feet in length.
- 3) May not hold or carry wind devices, flags, or balloons.
- 4) Bull horns or amplified sound are prohibited.

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- 5) Shall not stand or walk on podiums, risers, stilts, vehicles, roofs, or other structures so as to be elevated to any point above ground level.
- 6) Shall not be illuminated in any way, nor shall any human sign utilize any type of illumination, animation, flashing, blinking and rotating lights or mirrors.

f. Construction Signs or Project Development Signs.

- 1) Shall be limited to a maximum of ninety-six (96) square feet in area and twelve (12) feet in height.
- 2) Shall be limited to one (1) sign along each street frontage for a project which is in the process of development.
- 3) Shall be removed after completion of construction, or upon issuance of a certificate of occupancy for any building, whichever comes first.
- 4) Signs of forty (40) square feet or less are permitted without a permit as per Section 7.11.2.C.

Section 7.11.7 Supplemental Provisions Pertaining to On-Premise Signs

A. Non-Complying On-Premise Signs. Any sign that is not in compliance with the provisions of these Regulations upon its enactment shall be deemed a non-complying sign. All non-complying signs shall be allowed to continue until such time that the business or organization owning the property where the sign is located no longer owns or operates the non-complying signs. All signs, including non-complying signs, must be maintained in accordance with all State and City regulations. If structural alteration or replacement is deemed necessary by the organization, the organization shall obtain a permit to perform any type of maintenance, excluding normal replacement of sign faces, lamps, ballasts, and timers. Noncomplying sign faces shall be changed as needed so long as size and configuration remain as originally permitted. Sign structures may be repainted as needed. Permits will be required for all maintenance work with the exception of normal replacement of lamps, ballast, timers, and damaged sign faces. Any sign structure being structurally modified at a cost exceeding 50% of the replacement cost of the sign as to size, additions or configurations shall be immediately brought into compliance with this Section and any other applicable State and City regulations.

B. Variances or Modifications. Variances or modifications from the standards set forth herein may be approved as part of a Comprehensive Sign Plan (CSP) as set forth in Section 7.11.6.F.

C. Substitution of Non-Commercial Speech for Commercial Speech. Notwithstanding anything contained in this Section to the contrary, any sign erected pursuant to the provisions of this Section may, at the option of the owner, contain a non-commercial message in lieu of a commercial message and the non-commercial copy may be substituted at any time in place of the commercial copy. The noncommercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to non-commercial messages, or from one non-commercial message to another non-commercial message, as frequently as desired by the owner of the sign, provided that the size, height, setback and other dimensional criteria contained in this Section have been satisfied.

D. Content Neutrality as to Sign Message or Viewpoint Notwithstanding anything in this Section to the contrary, no sign or sign structure shall be subject to any limitation based upon the content or viewpoint of the message contained on such sign or displayed on such sign structure.

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E. Sign Construction and Structural Standards. All signs erected, altered, relocated, constructed, or maintained within the City of Bartlesville shall also comply with the standards set forth in the International Building Code, including Appendix H thereto, the National Electrical Code, and any other applicable code adopted by the City of Bartlesville. Where there is a conflict between any of these codes and this Section, the most restrictive standard or regulation shall govern.

1. Sign Maintenance Standards.

a. All signs and sign structures shall be maintained in a good condition, so as to present a neat and orderly appearance. The Community Development Director may order the removal of any sign or sign structure which is in any of the following conditions: those which are excessively weathered, including signs where the condition of the paint or structural material has become so

deteriorated as to permit decay, excessive cracking, peeling, chalking, flaking, fading, dry rot or warping; sign which are torn, broken, or where the copy can no longer be seen or is legible by a person with normal eyesight from the intended's point of view ; or signs which have inoperative or partially inoperative illuminating or mechanical devices.

b. Signs and sign structures which become dangerous for one or more of the following reasons shall be taken down and removed or made safe as the Community Development Director deems necessary:

- 1) Whenever damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength of stability is materially less than it was before the catastrophe and is less than the minimum requirements of the Building Code;
- 2) Whenever any portion or member thereof is likely to fail or become detached or dislodged, or to collapse and thereby injure persons or property;
- 3) Whenever any portion or member thereof is likely to partially or completely collapse as a result of any cause, including but not limited to dilapidation, deterioration, or decay; faulty construction or wiring; or removal, movement or instability of any portion of the ground or building necessary for supporting such structure;
- 4) Whenever any portion or member thereof is structurally or electrically unsafe or otherwise hazardous to human life or safety by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, damage, or abandonment.

c. All such signs and sign structures determined after inspection by the Community Development Director to be poorly maintained or dangerous shall be deemed a public nuisance and shall be abated by repair, rehabilitation, demolition or removal, by the sign and/or property owner in accordance with Chapter 11 of the Bartlesville Municipal Code.

2. Sign Contractor's License and Insurance; Exemption. No person shall erect, alter, relocate, construct, or maintain any sign without a valid contractor's license and all required local, State, and Federal licenses. Any person holding a valid contractor's license shall have a current certificate of insurance on file which indemnifies the City of Bartlesville for any form of liability. Any person doing business within the City of Bartlesville may be exempted from this provision, provided he is erecting a sign on the premises occupied by his regular business; however, he must first obtain a permit and show evidence of financial responsibility in the event of accident and meet all other requirements of this Section.

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3. Sign Permit and Fees. No sign shall be erected, constructed, altered, rebuilt, enlarged, extended, converted, maintained, replaced, relocated, until a permit has been issued by the Community Development Department, unless such sign is exempt as per Section 7.11.2.A or 7.11.2.C. Applications for sign permits shall be made upon forms provided by the Community Development Department and shall contain or be accompanied by such plans, drawings, and specifications as are necessary fully to advise of the type, size, shape, location, zone, construction, and materials of the proposed sign, and the building, structure, or premises upon which it is to be placed. The fee for a sign permit shall be as follows:

Permanent Signs:

Attached Signs:

Freestanding Signs:

Up to 20-feet in height: For every foot about 20':

Temporary Signs:

Consolidated Sign Plan: \$50.00

\$50.00

\$20.00 up to the maximum of 30-feet

\$20.00

\$100.00

ARTICLE III. OFF-PREMISE SIGNS, INCLUDING BILLBOARDS Section 7.11.8 Billboards.

A. Definition. A billboard is a sign, including the supporting sign structure, which directs attention to and/or advertises a business, commodity, service, or entertainment which is conducted, sold, or offered elsewhere than upon the lot on which the sign is located. The following shall not be considered a billboard for the purposes of these regulations: a) directional or official signs authorized by law; and b) temporary event signs and political signs as permitted by Section 7.11 of these regulations.

B. Locations. Billboards may be permitted in any of the following zoning districts: C-5 General Commercial, C-6 Commercial Amusement District, C-7 Highway Commercial District, M-2 General Industrial District (Medium), or M-3 Intensive Industrial District (Heavy), except where expressly prohibited by location within the Highway 75 Overlay District as provided in Section 7.10.3 (G) of the Zoning Regulations. In addition, billboards are specifically prohibited within the original boundaries of the Bartlesville Downtown Redevelopment District as adopted by the City Council by Ordinance No. 3150 on December 20, 2004.

C. General Standards:

1. No billboard shall be constructed which resembles any official marker erected by a governmental entity, or which by reason of position, shape, or color would conflict with the proper functioning of any official traffic control device.
2. Billboards shall be constructed in accordance with all State and Local regulations, including building and electrical codes. Stamped structural engineering plans shall accompany sign permit applications and shall be subject to wind speed requirements as set forth in the latest edition of the International Building Code.
3. All billboards shall be regularly maintained in good and safe structural condition. The painted portions shall be periodically repainted and kept in good condition. The general area in the vicinity of any billboard shall be kept free and clear of sign materials, weeds, debris, trash, and refuse.
4. Billboards displayed on parked or stationery vehicles, where the primary purpose of the vehicle is to advertise a product or business or to direct people to a business or activity are specifically prohibited.

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D. Size, Height, and Location Standards:

1. Only (1) one billboard structure may be permitted on a lot. A billboard shall not be permitted on a lot that already has a freestanding on-premise sign. Further, an on-premise sign shall not be combined in any manner with a billboard.

2. Billboards which are erected or painted on a roof are prohibited. Billboards which extend above the roofline of any building on which a sign is erected are prohibited.
3. The maximum area shall be three hundred (300) square feet per face.
4. Billboards must set back at least twenty-five (25) feet from the street edge of pavement and/or at least ten (10) feet from all property lines, whichever is greater.
5. Billboards shall be oriented to be primarily visible from the adjacent roadway.
6. No billboard shall be erected closer than five hundred (500) feet in any direction to another billboard.
7. Billboards shall be located a minimum of one hundred (100) feet from any existing residence and two hundred (200) feet from any residential district.
8. The maximum height of a billboard shall be forty (40) feet except in the case of an elevated roadbed, the allowable height shall be no more than twenty (20) feet above the roadbed at the edge of the pavement, or forty (40) feet, whichever is greater.
9. All billboards shall maintain a minimum clearance of twelve (12) feet as measured from the ground level at the base of the sign to the bottom of the sign face or to the bottom of the deck, whichever is lower.

E. Design and Construction Standards:

1. Double-faced signs, V-type signs, and tri-vision signage shall be allowed, however stacked signs or signs in a vertical position with one structure atop the other are prohibited. Side-by-side signage shall be permitted only on parcels abutting U.S. Highway 75 when such signage complies with all other provisions of these regulations.
2. No billboards shall be constructed by more than two steel posts or columns. Wood posts are specifically prohibited.
3. Illumination of billboards shall be by constant light, either direct or indirect. No billboard shall contain flashing, intermittent, moving, blinking, or traveling lights, bare bulb illumination, or reflective glitter, except for time, temperature, and date messages. Neither shall a billboard be permitted to have beams or rays directed at any portion of the traveled ways and are of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
4. The use of LED digital display and digital video on billboards, except as permitted above, is specifically prohibited.
5. Cut-outs or extensions shall be permitted in addition to the maximum 300 square foot display surface area permitted herein, so long as the cutouts or extensions do not exceed 15% of the display surface area or a maximum of 45 square feet. This shall include approval of three dimensional shapes.

F. Nonconforming Billboards: Any billboard lawfully erected and in existence on the effective date of the adoption of this section or located in an area annexed into the City thereafter, which does not conform with the requirements of this section shall be considered as a legal nonconforming billboard and is permitted to remain. Such billboard shall be maintained in a good condition and shall be allowed to remain in existence provided such sign is not:

1. abandoned or the sign face left vacant or blank for a period of six months; or
2. damaged or dilapidated to 50% or more of its physical structure or the estimated replacement value.

Said billboard may be rebuilt on the same property provided that:

1. the size of the sign face does not increase in square footage; and

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2. the sign structure and/or face does not change in its configuration; and
3. the billboard is made to conform to all other requirements set forth in these regulations.

Section 7.11.9. Other Off-Premise Signs.

A. Special Event Signs. A sign advertising or pertaining to any civic, patriotic, or special event of general public interest for noncommercial purposes.

1. Up to four (4) special event signs may be located off-premise on private property with consent of the property owner.
2. May be erected and maintained for a period not to exceed thirty (30) days and shall be removed within three (3) days of the termination of such event.

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