



- 1 a. located in an area formally designated and declared as  
2 a state or local historic district under applicable  
3 law,  
4 b. designated as a local, state or national historic  
5 landmark,  
6 c. located on a property that is governed by a regulation  
7 created by any valid negotiated zoning ordinance which  
8 serves to indicate mutual consent between property  
9 owners and a municipality, city or town, which  
10 includes but is not limited to a Planned Unit  
11 Development,  
12 d. located on a property that is governed by the  
13 application of a municipal, city, or town policy,  
14 regulation or ordinance affecting the public safety of  
15 residential building design elements and such policy,  
16 regulation or ordinance was duly and properly adopted  
17 by the applicable governing body in accordance with  
18 applicable law,  
19 e. located on a property that is governed by a policy or  
20 regulation as set forth within a duly adopted tax  
21 increment finance district or a business improvement  
22 district,  
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- f. located on a property that is governed by a policy or regulation of an overlay or a special purpose zoning district that is adopted pursuant to applicable law, or
- g. located in an existing neighborhood designated as a blighted area or redevelopment district; or

2. The regulations are:

- a. directly and substantially related to life safety or building safety, or
- b. applied to manufactured housing in a manner consistent with applicable state or federal law, or
- c. adopted as a condition for participation in the National Flood Insurance Program.

B. As used in this section:

1. "Residential building design elements" means:

- a. type or style of exterior cladding or finish materials,
- b. style or materials of roof structures, roof pitches or porches,
- c. exterior nonstructural architectural ornamentation,
- d. location, design, placement or architectural styling of windows and doors including garage doors and garage structures,
- e. the number and types of rooms,
- f. the interior layout of rooms, and
- g. the minimum square footage of a structure; and

1 2. "Residential building design elements" does not include:

2 a. the height, bulk, orientation or location of a  
3 structure on a lot, or

4 b. buffering or screening elements located at the  
5 perimeter of the property that are used to:

6 (1) minimize visual impacts,

7 (2) mitigate the impacts of light and noise, or

8 (3) protect the privacy of neighbors.

9 C. This section does not prohibit or diminish the rights of  
10 private parties to enact regulations as created by valid private  
11 covenants or other contractual agreements among property owners  
12 relating to residential building design elements including  
13 restrictive covenants and declarations such as those maintained by  
14 owners' associations in real estate developments as created under  
15 Section 851 et seq. of Title 60 of the Oklahoma Statutes or under  
16 Section 501 et seq. of Title 60 of the Oklahoma Statutes.

17 SECTION 2. It being immediately necessary for the preservation  
18 of the public peace, health or safety, an emergency is hereby  
19 declared to exist, by reason whereof this act shall take effect and  
20 be in full force from and after its passage and approval.

21  
22 DIRECT TO CALENDAR.  
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