



Unified Development Code

City of Edmond, OK

City Staff Review **DRAFT** | September 2, 2026

This page intentionally left blank

Contents

Chapter 26.01. General Provisions	1
26.01.010. Establishment	1
A. Title	1
B. Purpose	1
C. Authority	1
D. Jurisdiction.....	1
E. Conflicting Provisions	1
F. Private Restrictions	2
26.01.020. Enforcement	2
A. Violations.....	2
B. Responsible Persons	3
C. Enforcement Responsibility.....	3
D. Enforcement Procedures.....	3
E. Cumulative Remedies	5
F. Penalties	5
26.01.030. Nonconformities	5
A. Generally	5
B. Purpose	5
C. Applicability	6
D. Continuation Permitted	6
E. Determination of Nonconforming Status	6
F. Nonconforming Uses	6
G. Nonconforming Structures	7
H. Nonconforming Lots	7
I. Continuance of Nonconforming Situations	8
J. Termination of Nonconforming Situations	8
26.01.040. Approval Authorities	8
A. Generally	8
B. City Council	10
C. Planning Commission	10
D. Board of Adjustment	10
E. Edmond Design Review Board	11
F. Development Review Team.....	12
G. Planning Department	13
H. Director.....	13
26.01.050. Universal Procedures	14
A. Development Process Overview	14

B. Application Processing.....	14
C. Limitation on Resubmittal of Application	16
D. Plan or Permit Validity and Expiration	17
E. UDC Text Amendment.....	17
F. Comprehensive Plan Amendment.....	18
G. Public Notice.....	19
H. Public Hearing.....	23
I. Appeals.....	24

Chapter 26.02. Zoning Regulations 26

26.02.010. Zoning General Provisions.....	26
A. Context Areas, Overlays, and Zoning Districts Established	26
B. Zoning Map	27
26.02.020. Zoning Districts	28
A. Residential Districts.....	28
B. Nonresidential Districts	32
26.02.030. Special Districts	38
A. Planned Unit Development.....	38
B. Overlay Districts	38
26.02.040. Permitted Uses and Use-Based Standards	49
A. Generally	49
B. Use Table	51
C. Use-Specific Regulations	56
D. Temporary Uses.....	71
26.02.050. Zoning Procedures.....	73
A. Zoning Process Overview.....	73
B. Annexation or Detachment.....	73
C. Zoning Map Amendments (Rezoning).....	74
D. Specific Use Permits (SUPs)	76
E. Temporary Use Permit	78
F. Planned Unit Developments (PUDs)	80
G. Neighborhood Character Overlays	81
H. Zoning Variances	83
I. Zoning Special Exceptions.....	85

Chapter 26.03. Subdivision Regulations 86

26.03.010. Subdivision General Provisions	86
A. Generally	86
B. Land Division Types	86
C. Platting Required	86

26.03.020. Plat Improvements	88
A. Adequate Improvements Required	88
B. Approval of Construction Plans	89
C. Pre-Construction Meeting	89
D. Construction Release	90
E. Construction, Inspection, and Acceptance of Improvements	90
F. Financial Security for Improvements	91
26.03.030. Subdivision Procedures	93
A. Subdivision Process Overview	93
B. Preliminary Plat	94
C. Final Plat	96
D. Lot Splits and Lot Line Adjustments	98
E. Vacation of Plats and Replats	98
F. Vacation of Rights-of-Way and Easements	99
G. Subdivision Waiver.....	100
Chapter 26.04. Site Design and Development Standards	102
26.04.010. Zoning Development Standards	102
A. Generally	102
B. Dimensional Regulations	102
C. Parking.....	109
D. Loading and Vehicle Stacking	117
E. Form Standards	119
F. Screening.....	140
G. Fencing.....	144
H. Outdoor Lighting.....	146
I. Refuse Management	149
J. Infill Development	150
K. Accessory Buildings	152
L. Performance Standards	153
26.04.020. Subdivision Development Standards.....	155
A. Lots	155
B. Streets and Sidewalks	158
C. Maintenance of Physical Facilities	164
D. Utilities in the Right-of-Way or Easements	164
E. Drainage Easements	165
F. Parks and Trails.....	165
G. Low-Impact Development	166
H. Water Lines	166
I. Sanitary Sewers.....	167

J. On-Site Wastewater Treatment System	168
K. Connection to Electrical System	169
L. Conservation Subdivisions	171
26.04.030. Urban Forestry and Landscape	175
A. Generally	175
B. Provision of Forest Area	176
C. Urban Forest Restoration	179
D. Landscape Design Standards	182
26.04.040. Site Design Procedures	191
A. Site Plans	191
B. Submittal Requirements	193
C. Changes to an Approved Site Plan	202
D. Site Plan Expiration	203
Chapter 26.05. Stormwater Drainage	204
26.05.010. Stormwater Management Plan	204
A. Findings of Fact	204
B. Duties of the City Manager	204
C. Stormwater Drainage Advisory Board	205
D. Stormwater Drainage Fund	205
E. Warning and Disclaimer of Liability	206
26.05.020. Control of Surface Water	207
A. Purpose and Scope	207
B. Definitions	207
C. Standard Drainage Policy	207
D. Responsibility of Developer/Owner for Storm Drainage Improvements	207
E. Drainage Fee-in-Lieu-of Detention	208
F. Requirements Relating to Developments	212
G. Land Disturbance Permit	213
H. Title Ownership and Maintenance	217
I. Performance Requirement	218
J. Interpretation	218
K. Penalty	218
L. Enforcement Authority and Stop Work Orders	218
26.05.030. Drainage Utility Fee	218
A. Service Charge and Exemptions	218
B. Rate Schedule	219
C. Collection of Service Charge	219
D. Adjustments of Charge, Appeal	219
E. City Council Review	219

26.05.040. Flood Damage Prevention	219
A. Statutory Authorization	219
B. Findings of Fact	219
C. Statement of Purpose	220
D. Methods of Reducing Flood Losses	220
E. General Provisions	220
F. Designation of the Floodplain Administrator	221
G. Duties and Responsibilities of the Floodplain Administrator	221
H. Floodplain Development Permit Procedures.....	222
I. Penalty.....	225
26.05.050. Public Involvement Process	227
A. Adoption of Stormwater Drainage Advisory Board Public Involvement Process	227
B. Recommended Public Involvement Process for Stormwater Capital Plans and Major Projects	227
26.05.060. Stormwater Quality	228
A. Purpose and Scope	228
B. Authority	228
C. Monitoring.....	228
D. Illicit Connections and Improper Disposal.....	228
E. Inspections	229
F. Unauthorized Discharge a Public Nuisance	229
G. Illicit Discharge and Illegal Dumping	229
H. Accidental Discharges	231
I. Administrative Enforcement Remedies	232
J. Unlawful Acts	233
K. Judicial Proceedings and Relief.....	233
L. Reconsideration	234
M. Hearings	234
N. Stormwater Variances	235
26.05.070. Standard Drainage Policy	235
A. General Drainage Policy for the City of Edmond	235
B. Floodplain Designations.....	235
C. Development Grading	235
D. Stormwater Storage	236
Chapter 26.06. Definitions	238
26.06.010. General Rules of Interpretation	238
A. Usage and Interpretation Rules.....	238
B. Words and Terms Not Expressly Defined	238
26.06.020. General Terms	238

City of Edmond

Unified Development Code

A. Abbreviations	239
B. Defined Terms	239
26.06.030. Land Use Terms	266
A. Residential Uses.....	266
B. Public and Civic Uses.....	267
C. Commercial Uses	269
D. Industrial Uses	273
E. Agricultural Uses	275
Appendix A: Consolidated List of Development Fees.....	277
26.A.010. List of Fees.....	277

Chapter 26.01. General Provisions

26.01.010. Establishment

A. Title

This document is referred to as the Edmond Unified Development Code or its short title, the UDC.

B. Purpose

1. Generally

This UDC classifies and regulates the use of land, buildings, and structures, establishes platting procedures, and provides minimum standards for land development within the limits of the City of Edmond, Oklahoma. The regulations in this UDC are necessary to:

- a. Promote the health, safety, and welfare of the inhabitants;
- b. Implement the policies found in the current version of the Comprehensive Plan;
- c. Encourage the most appropriate uses of land by dividing the City into zones and regulating therein the use of the land;
- d. Create a comprehensive and stable pattern of land uses upon which to plan for transportation, water supply, sewage, stormwater, parks, public utilities, and other facilities;
- e. Protect and preserve natural resources; and
- f. Provides for efficient and effective processing of zoning and land development applications.

2. Consistent interpretation and application of this UDC supports development that advances the goals and vision of the City's Comprehensive Plan.

C. Authority

This UDC is adopted in pursuance of the authority granted by the Legislature of the State of Oklahoma in Title 11, Sections 43-101, et seq. of the Oklahoma Statutes.

D. Jurisdiction

1. Generally

This UDC applies to areas within the City's corporate limits, including regulations pertaining to the use and development of land, such as zoning, subdivisions, platting, floodplains, and infrastructure.

2. Easements, Covenants, and Private Agreements

This UDC does not interfere with, abrogate, or annul any easements, covenants, or other legal agreements between parties.

E. Conflicting Provisions

1. Conflict with State or Federal Regulations

- a. Whenever the provisions of this UDC require a greater width or size of yards, courts or other open spaces, or require a lower height of building or less number of stories, or require a greater percentage of lot to be left unoccupied, or impose higher standards than any other applicable state or federal statute, or local ordinance or regulation, then the provisions of this UDC which impose higher standards or greater restrictions shall govern.

- b. Conversely, where another state or federal statute, or local ordinance or regulation, establishes a higher standard such as those described in **26.01.010.E.1.a**, that statute, ordinance, or regulation shall govern.
- 2. Conflict with Other City Regulations

If the provisions of this UDC are inconsistent with one another or conflict with provisions found in other adopted ordinances or regulations of the City, the more restrictive provision governs unless otherwise expressly stated.
- 3. Fire Prevention, Health, Sanitation, and Safety

Any inconsistency does not reduce the requirements of those regulations pertaining to fire prevention, health, sanitation, or safety of persons or property enacted by the City. If any restriction, prohibition, or provision of this UDC conflicts with those provisions or any laws of the State of Oklahoma, or with regulations of State or Federal regulatory bodies having jurisdiction:

 - a. If the provision of this UDC is not preempted, the more restrictive regulation, prohibition, or provision applies, or
 - b. If the state or federal law preempts a provision of this UDC, the state or federal law applies.

F. Private Restrictions

This UDC does not abrogate any deed restriction, covenant, easement, or any other private agreement or restriction on the use of land. However, if the provisions of this UDC are more restrictive than any private restriction, the requirements of this UDC control. Where the provisions of any private restriction are more restrictive or impose higher standards than the provisions of this UDC, the private restrictions control if properly enforced by a person having the legal right to enforce those restrictions. The City does not enforce private restrictions.

26.01.020. Enforcement

A. Violations

Any of the following violates this UDC and is subject to the remedies and penalties provided for in this Article.

- 1. Buildings or Structures

To erect, construct, reconstruct, alter, repair, convert, or maintain a building or structure in a manner inconsistent with the requirements of this UDC or a condition of approval.
- 2. Use of Land

To use any land or premises in a manner inconsistent with the requirements of this UDC or a condition of approval.
- 3. Establish Use or Structure Without Permit or Approval

To establish or place any use or structure upon land that is subject to this UDC without all of the approvals required by this UDC.
- 4. Development or Subdivision Without Permit or Approval

To engage in any subdividing, development, construction, remodeling, or other activity of any nature upon land that is subject to this UDC without all of the approvals required by this UDC.
- 5. Development, Subdivision, or Use Inconsistent with Permit

To engage in any development, use, construction, remodeling, or other activity of any nature in any way inconsistent with the terms and conditions of any permit, approval, certificate, or other form of authorization required to engage in those activities.

6. Development, Subdivision, or Use Inconsistent with Conditions of Approval

To violate, by act or omission, any term, condition, or qualification placed by an approval authority upon any permit or other form of authorization.

7. Development or Subdivision Inconsistent with this UDC

To erect, construct, reconstruct, remodel, alter, maintain, move, or use any building, or structure, or to engage in development or subdivision of any land in violation of any zoning, subdivision, or other regulation of this UDC.

8. Making Lots or Setbacks Nonconforming

To reduce or diminish any lot area so that the lot size, setbacks, or open spaces are smaller than prescribed by this UDC.

9. Increasing Intensity or Density of Use

To increase the intensity or density of use of any land or structure, except in accordance with the procedural requirements and substantive standards of this UDC.

10. Removal of Trees within a Dedicated Tree Preservation Area

To remove a tree or seriously injure a tree specimen from a dedicated Preservation Area, except in accordance with the procedural requirements and substantive standards of this UDC.

11. Removing or Defacing Required Notice

To remove, deface, obscure, or otherwise interfere with any notice required by this UDC.

12. Miscellaneous

Any other action, or failure to act, that does not comply with a requirement of this UDC or a lawful condition of approval.

B. Responsible Persons

1. Any person who violates this UDC is subject to the remedies and penalties expressed in this Article.
2. If a person causing a violation is a renter, lessor, or contractor, an agent of the City shall notify the owner and the renter, lessor, or contractor of the violation. The owner shall ensure that the renter, lessor, and/or contractor are aware of the violation, and the owner is ultimately responsible for ensuring that the violations are corrected.

C. Enforcement Responsibility

The City Manager holds primary responsibility for enforcing all provisions of this UDC. Other officers of the City, designated by the City Manager as Code Enforcement, share responsibility for enforcing provisions of this UDC.

D. Enforcement Procedures

1. Generally

The City Manager has the following remedies and enforcement powers: if subsection A applies, the City may institute any appropriate action or proceedings:

- a. To prevent any unlawful erection, maintenance, or use on a property,
- b. To restrain, correct, or abate the violation,
- c. To prevent the occupancy of a building, structure, or land, or
- d. To prevent any illegal act, conduct, business, or use in or about the premises.

2. Withhold Permit

- a. The City may deny or withhold all permits, certificates, or other forms of authorization on any land or structure or improvements after determining there is an uncorrected violation of a UDC provision or of a condition or qualification of a permit, certificate, approval, or other authorization previously granted by the City. This enforcement provision applies regardless of whether the current owner or applicant is responsible for the violation in question.
 - b. The City may refuse to issue permits or approvals to any person who has an uncorrected violation of this Code or past City approvals, even if the new request is for a different property.
 - c. If a subdivision plat is approved, the Building Services Director shall not issue a certificate of occupancy until all improvements are accepted by the City in writing and the approved plat is recorded.
3. **Permits Approved with Conditions**
Instead of withholding or denying a permit or other authorization, the City may grant authorization subject to a corrected violation condition.
4. **Revoke Permits**
Any development permit or other form of authorization required in this UDC may be revoked, including revocation of a certificate of occupancy.
5. **Stop Work**
With or without revoking permits, the City may stop work on any building or structure on any land on which there is an uncorrected violation of a UDC provision or of a permit or other form of authorization issued, in accordance with its power to stop work under its building codes.
6. **Injunctive Relief**
The City may seek an injunction or other equitable relief in court to stop any violation of this UDC or of a permit, certificate, or other form of authorization granted.
7. **Abatement**
The City may seek a court order in the nature of mandamus, abatement, injunction, or other action or proceeding to abate or remove a violation or otherwise to restore the premises in question to the condition in which they existed prior to the violation.
8. **Civil Action**
The City may enforce the provisions of this UDC through civil action as per state law.
9. **Withhold Public Services**
 - a. The City may withhold public services until all applicable subdivision regulations have been satisfied.
 - b. Unless a plan, plat or replat is approved in the manner and by the authorities provided for in this UDC, it is unlawful within the area covered by the plan, plat, or replat for any officials representing the City to serve or connect that land to any public utility owned, controlled or distributed by the City for the use of the owners or purchasers of the plat or plan.
10. **Other Remedies**
The City may have other remedies provided by law for zoning, subdivision, or related UDC provision violations.
11. **Other Powers**
In addition to the enforcement powers specified in this Article, the City may exercise any and all enforcement powers granted by law.
12. **Continuation**

Nothing in this UDC prohibits the continuation of previous enforcement actions timely commenced by the City pursuant to laws in effect at the time the action was commenced.

E. Cumulative Remedies

The remedies and enforcement powers established in this Article are cumulative, and the City may exercise them in any order or combination at any time.

F. Penalties

Any person or corporation who violates any of the UDC provisions or fails to comply with any of the requirements, or who builds or alters any building or use in violation of any detailed statement or plan submitted and approved, is guilty of a misdemeanor punishable under this Section.

1. Responsible Party(ies)

The owner or owners of any building or premises or part, where anything in violation of this UDC exists, and any architect, builder, contractor, agent, person, or corporation employed in connection and who may have assisted in the commission of any UDC violation, are guilty of a separate offense punishable under this section.

2. Each Day is a Separate Offense

A person who violates any provision of this UDC by performing a prohibited act or by failing to perform an act required is guilty of a misdemeanor. Each day on which a violation exists or continues to exist is a separate offense.

3. Subdivision Violation

Pursuant to 11 Okla. Stats. §43-107, the City may institute appropriate action or proceedings to remedy a violation. Any person who violates any of the subdivision and platting regulations of this UDC is guilty of a misdemeanor and, upon conviction, shall be fined up to two hundred fifty dollars (\$250). Each day the violation continues is a separate offense. Prosecution or conviction under this provision does not bar any other remedy or relief for violations of this UDC.

26.01.030. Nonconformities

A. Generally

1. Limitations on Permits

In acting on any application for a building permit, sign permit, or other City-issued permit related to the use or development of land, the Director of Planning shall require or ensure that:

- a. Any nonconforming use is limited to the existing area of the structure or changed to a conforming use;
- b. A nonconforming structure is not expanded or altered in a way that increases its degree of nonconformity; and
- c. Any other nonconforming situation, including off-street parking, off-street loading, landscaping, and/or other site improvements, is brought into full conformance with the requirements of this UDC to the maximum extent practicable within the property owned or controlled by the owner of the property on which the nonconforming situation exists.

B. Purpose

The purpose of this section is to regulate land uses, lots, structures, and site features that were legally established at the time of their creation but that have been made nonconforming due to a change in the City's regulatory environment (i.e., legal nonconforming). The regulations herein are intended to reduce or eliminate these nonconformities over time.

C. Applicability

1. These regulations apply to any land use, lot, structure, and/or site feature that was legally established but has since become nonconforming to the regulations in place.
2. Any land use, lot, structure, and/or site feature that was established in violation of the regulations at the time is prohibited and shall be considered a violation of this UDC. The provisions included in this section do not apply to illegal nonconformities.
3. Nothing in this Section shall be construed as allowing the City to terminate a nonconforming use related to oil or gas activities.
4. Wireless Communications towers or antennas in existence on the effective date of this UDC that do not comply with the regulations of this UDC:
 - a. May continue for the purpose now used and as now existing; and
 - b. May not be replaced or structurally altered without complying in all respects with this UDC; however, additional antennas may be added to an existing tower.
5. Regulations and restrictions affecting the termination of nonconforming situations may be adopted or amended by the City only after notice and hearing as provided in Title 11 of the Oklahoma Statutes.

D. Continuation Permitted

Any nonconforming use, building, structure, or other nonconforming situation that existed lawfully on the date of adoption of this UDC or that becomes nonconforming upon the adoption of any amendment to this UDC may be continued in accordance with the provisions of this article.

E. Determination of Nonconforming Status

The burden of proving that a nonconformity legally exists is the responsibility of the subject owner. The Director of Planning shall determine whether reliable evidence of legal nonconforming status has been provided by the subject owner. Resources for such evidence include, but are not limited to, recorded plats, aerial photography, or utility billing records.

F. Nonconforming Uses

1. Definition

A nonconforming use is a use of land, buildings, or other structures, or any combination thereof, that is nonconforming to the permitted or specific uses listed by district in Chapter 26.02 of this UDC.
2. Continuance Permitted

A nonconforming use may continue, subject to the requirements of this article.
3. Expansion Prohibited

A nonconforming use shall not be enlarged or expanded in area, intensity, or scope of operation, including the addition of land, floor area, structures, or increases in hours of operation, occupancy, or level of activity beyond that which existed when the use became nonconforming.
4. Change of Use

A nonconforming use may be changed to a use of the same or a more restricted use classification; however, it thereafter shall not be changed to a use of a less restricted district classification. A use classification is considered more restrictive if it reduces the intensity of the use, is more compatible with adjacent land uses, or decreases negative impacts.

G. Nonconforming Structures

1. Definition

A nonconforming structure is any building or structure that does not fully conform to the dimensional or design standards imposed by **Chapter 26.04** of this UDC.

2. Additions and Alterations

- a. Additions to a nonconforming structure shall be permitted provided that such addition does not increase the extent of the nonconformity.
- b. If an addition to a structure that does not increase the extent of the nonconformity will increase its size by more than 20 percent, or if additions not increasing the extent of the nonconformity to a structure are made in stages and the total additions to the building within a five-year period increase its original size by more than 20 percent, then the provisions and requirements of this UDC shall apply to the entire structure.
- c. Alteration of the structure within the existing building footprint is permitted, provided that the alteration does not increase the degree of nonconformity and that applicable building and safety codes are met.

3. Moving Prohibited

A nonconforming structure shall not be moved, in whole or in part, to any other location on the same or any other parcel unless the entire structure shall thereafter conform to the regulations of the district in which it is located after being moved.

4. Maintenance and Repairs

- a. Maintenance and repairs of a nonconforming structure are expressly permitted.

H. Nonconforming Lots

1. Definition

- a. A nonconforming lot is a lot designated on an approved and recorded subdivision plat or that constitutes a whole parcel reflected by a valid and recorded deed not recorded in violation of the Subdivision provisions herein, that fails to conform to the minimum lot area, minimum width, or other applicable dimensional requirement as specified in **26.02.020. Zoning Districts**.
- b. A nonconforming lot with frontage only on an unimproved public right-of-way shall not be considered a nonconforming lot for purposes of this UDC.

2. Development Permitted

Legally nonconforming lots may be developed. The Board of Adjustment may grant a Zoning Variance to modify lot, setback, or building requirements as needed to reasonably accommodate development.

3. Lot Combination

Where two or more lots that are nonconforming as to area or lot width are under common ownership on the effective date of this UDC, such lots shall be deemed combined for purposes of this UDC to the extent necessary to create one or more lots that conform to the area and lot width requirements of the applicable district.

4. Replatting

Nonconforming lots that lack access to an improved public right-of-way shall not be protected by this article. Owners of such lots shall replat such lots in conformity with the subdivision regulations and the applicable zoning regulations of this UDC before seeking a building permit or otherwise seeking to use one or more of such lots.

5. Choice of Uses

Where a nonconforming lot is conforming for some uses in the applicable district but not for others, such lot shall be used for one of the uses for which it conforms to the requirements of the applicable district.

I. Continuance of Nonconforming Situations

Continuance of other nonconforming situations will be allowed. To the maximum extent practicable within the boundaries of the property controlled by the same owner, other nonconforming situations shall be brought into conformance with the requirements of this UDC on the earlier of any date established for such conformance by any requirement of this UDC or upon the application of the owner for any building permit, subdivision approval or other permit or approval required from the City for the continued or additional use or further development of the property on which the nonconforming situation is located.

J. Termination of Nonconforming Situations

1. Termination by Abandonment

Discontinuance of a nonconforming use for a period of more than one year shall be deemed to be abandonment of such use, regardless of intent. Such use shall not then be reestablished, and any subsequent use shall conform to the requirements of the district in which it is located.

2. Termination by Damage or Destruction

- a. In the event that any nonconforming structure or use is destroyed by any means to the extent of 50 percent of the cost of replacement of such structure or use, said structure or use shall not be rebuilt, restored, reestablished, or reoccupied except in conformance with the applicable requirements of this UDC, including those of the district in which it is located.
- b. The Board of Adjustment may permit the reconstruction of a nonconforming building that has been destroyed or partially destroyed by fire or an act of nature.

26.01.040. Approval Authorities

A. Generally

This Section introduces and establishes approval authorities and decision-making bodies, describes their composition, and summarizes their authority.

Table 01-1: Authority Table

Authority Table								
Procedural Group	Application Type	Section	PA M	Public Notice	Approval Authority			
					D P	P C	C C	BO A
Universal Procedures	UDC Text Amendment	26.01.050.E		X		R	D	
	Comprehensive Plan Amendment	26.01.050.F		X		R	D	

Authority Table								
Procedural Group	Application Type	Section	PAM	Public Notice	Approval Authority			
					D P	P C	C C	BO A
	Appeals of Decisions of Administrative Officials	26.01.050.I.1		X				D
	Appeals of Decisions of the Planning Commission	26.01.050.I.2		X			D	
	Appeals of Decisions of City Council or Board of Adjustment	26.01.050.I.3		X	District Court			
Zoning Procedures	Zoning Map Amendments (Rezoning)	26.02.050.C	X	X	R	R	D	
	Specific Use Permits (SUPs)	26.02.050.D	X	X	R	R	D	
	Temporary Use Permit	26.02.050.E	X	V	V	V		
	Planned Unit Developments (PUDs)	26.02.050.F	X	X	R	R	D	
	Zoning Variances	26.02.050.H	X	X	R			D
	Zoning Special Exceptions	26.02.050.I	X	X				D
	Neighborhood Character Overlay	26.02.050.G	X	X	R	R	D	
Subdivision Procedures	Preliminary Plat	26.03.030.A	X		R	D		
	Final Plat	26.03.030.C	X		R	R	D	
	Lot Splits and Lot Line Adjustments	26.03.030.D	X		V	V	V	
	Vacation of Plats and Replats	26.03.030.E		X		D		

Authority Table								
Procedural Group	Application Type	Section	PAM	Public Notice	Approval Authority			
					DP	PC	CC	BOA
	Vacation of Rights-of-Way and Easements	26.03.030.F	X	X	R	R	D	
	Subdivision Waiver	26.03.030.G	X		R	D		
Site Design Procedures	Site Plans	26.04.040.A	X		D			
	Site Plans with Special Use Permits (SUPs)	26.04.040.B.11.f	X		R	R	D	
Key	X = PAM and/or Notice is required R = Authority provides a Recommendation D = Authority renders a Decision V = Authority's role in application processing varies by application type PAM = Pre-application Meeting DP = Director of Planning PC = Planning Commission CC = City Council BOA = Board of Adjustment							

B. City Council

The City Council is established under the provisions of Article 2 of the City Charter. All actions of the City Council governed by this UDC shall conform to the requirements of this UDC and all applicable Titles of the Code of Ordinances.

C. Planning Commission

The Planning Commission is established under the provisions of Title 2 of the Code of Ordinances. All actions of the Planning Commission governed by this UDC shall conform to the requirements of this UDC and all other applicable Titles of the Code of Ordinances, and Title 11 of the Oklahoma State Statutes.

D. Board of Adjustment

1. Establishment

Pursuant to 11 O.S. § 44-101, there is hereby created within and for the City of Edmond a Board of Adjustment with the powers and duties as set forth in this chapter.

2. Membership.

- The Board of Adjustment shall consist of five residents of the City of Edmond. Each of the four City Council members shall nominate one Board of Adjustment member for consideration and approval by the Mayor and City Council. The fifth Board of Adjustment member shall be the Chair of the Planning Commission. All members of the Board shall serve without compensation.
- The term of each member shall be three years or until a successor takes office. Members may be removed by the City Council for cause upon the filing of written charges and after a

- public hearing before the City Council. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. Appointments to fill vacancies shall be for the unexpired term only of such member whose office becomes vacant.
- c. The Board shall elect a Chair and Vice Chair from its membership to serve a term of two years.
3. Conduct of Meetings.
- a. The Board shall adopt rules in accordance with the provisions of this UDC and 11 O.S. § 44-102. Meetings of the Board shall be held at the call of the chair and at such other times as the Board may determine. Such Chair, or in their absence, the acting Chair, may administer oaths and compel the attendance of witnesses.
 - b. All meetings, deliberations and voting of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be public record.
 - c. The concurring vote of three members of the Board shall be necessary to reverse any order, requirement, decision or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this UDC or to effect any variation in this UDC.

E. Edmond Design Review Board

The Edmond Design Review Board (EDRB) is hereby established according to the following provisions:

- 1. Jurisdiction.

The jurisdiction of the EDRB is limited to the area identified on the Context Areas Map as the Urban Context Area encompassing downtown Edmond and any project proposed within an Overlay district.
- 2. Membership.
 - a. Composition.
 - (i) The EDRB shall consist of seven voting members:
 - (a) Five members nominated and appointed by the Mayor and Council;
 - (b) A member recommended by the Chamber of Commerce; and
 - (c) A member recommended by the University of Central Oklahoma.
 - (ii) All members are to receive the approval of the Mayor and Council as a whole.
 - b. Terms of Office and Filling of Vacancies.

The terms of office of the five members nominated and appointed by the Mayor and Council shall be for three years, with a maximum of three terms. The members appointed by the Planning Commission Chairman, the Downtown Edmond Business Association, the Chamber of Commerce and the University of Central Oklahoma shall serve a one-year term. Each shall continue as a member until such time as their successor has been appointed in the manner provided herein. Members may serve successive terms. Vacancies shall be filled in the manner of regular appointments but shall be for the unexpired portion of the term of office remaining. All terms expire in the month of June.
 - c. Compensation and Quorum.

Edmond Design Review Board members shall serve without compensation and shall be disqualified from voting upon any matter in which they may have a pecuniary or proprietary interest. Four members of the EDRB shall constitute a quorum.

d. Removal of Members.

Three consecutive absences of any member from regular meetings of the EDRB shall, at the discretion of the City Council, render such member liable for immediate removal from office.

e. Conduct of Meetings.

Meetings of the EDRB shall be open to the public. The EDRB shall establish rules and regulations for its own procedures and shall elect a Chair from its own members to serve for a one-year term. The chair may be reelected. Minutes of the meeting shall be kept and shall reflect the vote of each member as well as all official actions.

f. Powers and Duties.

The EDRB shall serve in an advisory capacity to the City Council and it shall:

- (i) Review and make recommendations on all Type I, II, and III Site Plans in the downtown Urban Context area and Neighborhood Character (O-NC), Corridor - Route 66 (C-RT), and Corridor I-35 (C-IS) Overlay districts; and
- (ii) Recommend and assist in the planning of capital improvements within the downtown Urban Context area and Overlay districts.

F. Development Review Team

1. Designation.

There is hereby created a Development Review Team (DRT) to provide a regular forum for sharing information among the City's departments, and between applicants and City staff. The purpose of the DRT shall be to ensure that City Codes and standards are met and that the criteria of this UDC are specifically addressed in the Site Plan review process to the degree possible.

2. Membership.

The DRT includes at least one representative from each:

- (i) The Engineering Department,
- (ii) Department of Building and Safety,
- (iii) Planning Department and Urban Forestry,
- (iv) Public Works Department,
- (v) Water Resources, and
- (vi) Edmond Electric.

It may be necessary to include other utility operators when easements or facilities impact a Site Plan.

3. Leadership.

Leadership of the DRT shall consist of the Director of Engineering, Building Director, and Director of Planning. These officials are responsible for determining when the DRT's review of the application is complete and correct, meaning that the applicant has addressed, through their responses, the criteria and standards set out in this UDC.

4. Powers and Duties.

The DRT shall be responsible for reviewing Site Plans and providing a report with findings and a recommendation for all Site Plans.

G. Planning Department

The Planning Department serves as an administrative and staff decision-making body responsible to the Mayor, City Manager, City Council, Planning Commission, Board of Adjustment, and Edmond Design Review Board. The Director of the Planning Department has the authority to process proposals to change the text and map of this UDC and to process zoning and specific use permit applications, Site Plan applications, and other applications as specified in this UDC.

H. Director

1. Director of Planning.
 - a. The Director of Planning or a designated representative shall be responsible for administering certain provisions of this UDC as may be required below.
 - b. Review Authority.

The Director of Planning shall be responsible for reviewing and making recommendations regarding the following:

 - (i) Zoning Map Amendments (Rezoning);
 - (ii) Specific Use Permits;
 - (iii) Temporary Use Permits;
 - (iv) Planned Unit Developments; and
 - (v) Site Plans.
2. Director of Building and Safety
 - a. The Director of Building and Safety or a designated representative shall be responsible for administering certain provisions of this UDC as may be required below.
 - b. Review Authority.

The Director of Building and Safety shall be responsible for reviewing and making recommendations regarding the following:

 - (i) Parking within the right-of-way; and
 - (ii) Traffic calming devices.
3. City Building Official
 - a. The City Building Official or a designated representative shall be responsible for administering certain provisions of this UDC as may be required below.
 - b. Review Authority.

The City Building Official shall be responsible for the following:

 - (i) Short-Term Rentals.
4. Director of Engineering
 - a. The Director of Engineering or a designated representative shall be responsible for administering certain provisions of this UDC as may be required below.
 - b. Review Authority.

The Director of Engineering shall be responsible for reviewing and making recommendations regarding the following:

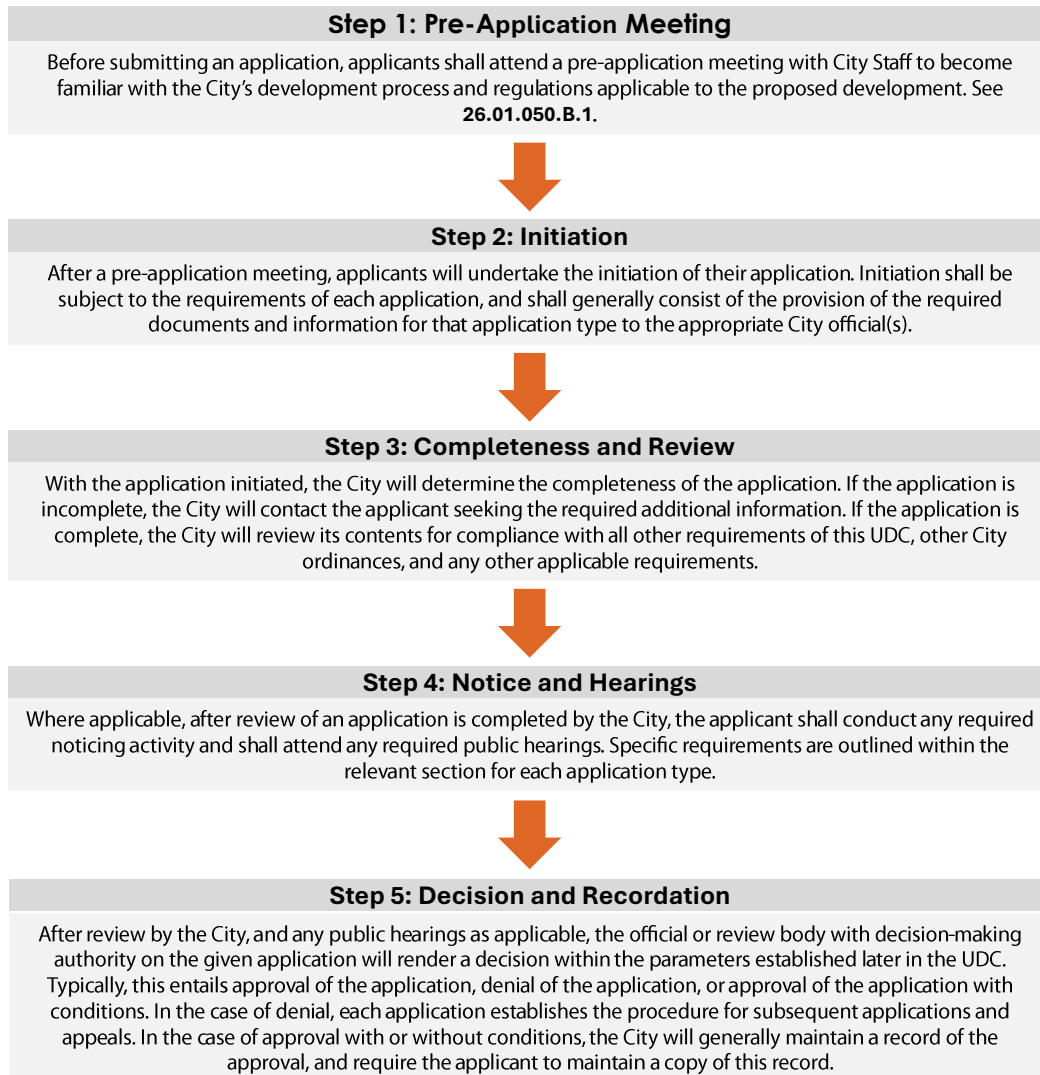
 - (i) Preliminary Plats;
 - (ii) Final Plats;
 - (iii) Site Plans; and
 - (iv) Subdivision Waivers.

26.01.050. Universal Procedures

A. Development Process Overview

The flowchart (Figure 01-1: Typical Development Process Overview) serves to illustrate the typical development process, and does not reflect the precise actions necessary to process all development applications – certain applications may require more or fewer steps than those listed; specific procedures for different applications are established in later parts of the UDC.

Figure 01-1: Typical Development Process Overview



B. Application Processing

1. Pre-Application Meeting

a. Purpose

- (i) The pre-application meeting allows for the exchange of non-binding information between the applicant and City Staff to ensure that the applicant is informed of pertinent City development regulations and processes.

- (ii) The pre-application meeting provides an opportunity for the applicant and City Staff to discuss major development considerations such as utilities, roadways/traffic, drainage concerns, Comprehensive Plan conformance, specific neighborhood characteristics, and historical information.
 - (iii) This exchange of information is intended to promote an efficient and orderly review process.
 - b. Meeting
 - (i) Pre-application meetings are required for all applications.
 - (ii) The Planning Department staff will determine the appropriate City staff to attend the meeting.
 - (iii) If multiple applications are submitted, the respective department representatives may allow one consolidated meeting.
 - (iv) The applicant may represent themselves or be represented by their land planner, surveyor, engineer, or other agent designated with written consent.
 - c. Sketch Plan
 - (i) Sketch Plans are encouraged for all applicants attending a pre-application meeting and are required for applicants submitting for a Site Plan, PUD, or SUP application.
 - (ii) A Sketch Plan is a preliminary drawing or diagram of a proposed development project that allows City Staff to form an initial understanding of the project's layout, number and size of buildings, site usage, and potential issues before an application is submitted. Sketch Plans typically indicate site boundaries, proposed areas of development, planned circulation routes, proposed utility locations (including water, wastewater, stormwater, and electric), opportunities for potential tree preservation, and other key features or amenities.
- 2. Application
 - a. Initiation
 - (i) Unless specifically stated otherwise, all development review procedures shall be initiated upon payment of the fee for an application by a property owner or agent designated with written consent.
 - (ii) All development review applications shall be filed with the office of the Director of Planning.
 - (iii) For Zoning Map Amendment (rezoning) applications, the proposal must be consistent with the Comprehensive Plan. If it is not, a Comprehensive Plan Amendment must be submitted with or prior to the rezoning request.
 - b. Review and Determination of Completeness
 - (i) An application shall be considered complete if it is submitted in the required form, includes all mandatory information, including all exhibits, and is accompanied by the applicable fee. A determination of application completeness shall be made by the Director of Planning within five business days of application filing.
 - (ii) Determination that an application is complete does not preclude any negative final action and does not include any implied determination that the application successfully meets any review criteria or standards found in this UDC.
 - c. Resubmittal
 - (i) If an application is determined to be incomplete, the applicant shall be provided with written notice along with an explanation of the application's deficiencies. Upon the applicant's correction of deficiencies and resubmittal of the application, a

determination of completeness shall be performed in accordance with the provisions of this Section.

d. Additional Standards

- (i) For Site Plan projects in tiers I, II, and III, Preliminary Plat, and Final Plat (applicable only when no Preliminary Plat is required) applications:
 - (a) A Natural Resource Evaluation shall be provided and must include all elements outlined in the *Edmond Tree and Landscape Guide*.
 - (b) The Natural Resource Evaluation shall be conducted and prepared by a Landscape Architect licensed in the State of Oklahoma, a professional Forester listed by the State of Oklahoma, an International Society of Arboriculture Certified Arborist or other design professional as pre-approved by the Urban Forestry Commission.
- (ii) For projects requiring landscaping:
 - (a) Landscape plans shall be prepared by a certified Landscape Architect.
 - (b) Landscape plans must include all elements outlined in the *Edmond Tree and Landscape Guide*.
- (iii) Residential and commercial developments on all new or existing sites necessitating the removal of trees prior to Site Plan or Preliminary Plat approval must also pursue a *Tree Removal Permit*, as outlined in Title 8, Chapter 8 of the City of Edmond Code.

3. Conformity with Zoning Ordinance

The City shall not issue a permit, license, or certificate for any use, building, or purpose that conflicts with any provision of this UDC.

4. Application Forms and Fees

The following regulations shall apply to all applications required within this UDC.

a. Forms

- b. All applications shall be submitted on City-provided forms in the manner and quantity required.

c. Fees

Filing fees shall be established by the latest Fee Schedule adopted by the City Council to defray the cost of processing the application. All required fees shall be made payable to "The City of Edmond."

5. Decision and Recordation

- a. After review by the City, and any public hearings as applicable, the official or review body with decision-making authority on the given application will render a decision within the parameters established later in the UDC. Typically, this entails approval of the application, denial of the application, or approval of the application with conditions. In the case of denial, each application establishes the procedure for subsequent applications and appeals. In the case of approval with or without conditions, the City will generally maintain a record of the approval, and require the applicant to maintain a copy of this record.

C. Limitation on Resubmittal of Application

- 1. In the event that an application submitted under this UDC is denied or disapproved, an application for the same request shall not be resubmitted for six months from the advertised public hearing date.
- 2. The applicant may provide a written request to the approving authority to waive this requirement upon finding there are changed conditions or significant new information that may support a new application within six months.

D. Plan or Permit Validity and Expiration

1. Unless otherwise specified in this UDC, approval of any Site Plan or specific use permit shall expire and become null and void 18 months from the date of such approval, including all time required for legal proceedings, provided that a building permit has not been issued.
2. A specific use permit shall expire under the following conditions:
 - a. If a building permit has not been issued within 18 months;
 - b. If the use is not established within 18 months;
 - c. If the use once established has been discontinued or abandoned for a period of 24 months;
or
 - d. If the Director of Planning finds that any proposed construction or occupancy shall not, in their opinion, substantially comply with the Specific Use Permit.
3. The Planning Commission may extend the expiration date after the following provisions have been met. Required public notice shall be in accordance with the type required (i.e., published, posted, and/or mailed) for the procedure for which the extension is sought.
 - a. The applicant shall file a letter of formal request for an extension to the Director of Planning.
 - b. The DRT shall provide a report with recommendations.
 - c. Following notice in accordance with **26.01.050.G** the Planning Commission and/or City Council shall hold a public hearing. The Commission shall act to recommend, recommend with conditions, or deny the request.

Reinstatement of a lapsed approval shall require the same submittal and approval as an original application.

E. UDC Text Amendment

1. Applicability.

This Section applies to any action of the City Council to amend or change the regulations of this UDC. This includes the regulations, restrictions, and boundaries or classification of property contained within this UDC.
2. Initiation

A text amendment may be initiated by:

 - a. City Council; or
 - b. City staff.
3. Completeness

See **26.01.050.B.2.b.**
4. Notice and Hearing(s)
 - a. Noticing shall comply with **26.01.050.G.** and state law, as applicable.
 - b. Two (2) public hearings are required and shall comply with **26.01.050.H.**
5. Decision
 - a. Development Review Team Hearing and Recommendation

The Development Review Team shall conduct a discussion on the text amendment. The Development Review Team shall submit its recommendation to the Planning Commission:

 - (i) To approve the text amendment;
 - (ii) To deny the text amendment; or
 - (iii) To approve the text amendment with modifications.
 - b. SWAB Hearing and Recommendation

- For text amendments to **Chapter 26.05**, the SWAB shall conduct a public hearing on the text amendment. The SWAB shall submit its recommendation to the Planning Commission:
- (i) To approve the text amendment;
 - (ii) To deny the text amendment; or
 - (iii) To approve the text amendment with modifications.
- c. Planning Commission Hearing and Recommendation
- The Planning Commission shall conduct a public hearing on the text amendment. The Planning Commission shall submit its recommendation to the City Council:
- (i) To approve the text amendment,
 - (ii) To continue the text amendment,
 - (iii) To deny the text amendment, or
 - (iv) To approve the text amendment with modifications.
- d. City Council Hearing and Decision
- The City Council shall consider the text amendment at a public hearing after a recommendation has been provided by the Planning Commission. After the hearing is closed, the City Council shall by ordinance:
- (i) Adopt the text amendment,
 - (ii) Deny the text amendment,
 - (iii) Approve the text amendment with revisions, or
 - (iv) Remand the text amendment to the Planning Commission.
6. Standards
- A text amendment is a legislative decision subject to the City Council's discretion. The City Council may approve the text amendment if it:
- a. Is consistent with the Comprehensive Plan, and
 - b. Promotes public health, safety, and general welfare.
7. Subsequent Applications
- Not applicable.
8. Appeals
- See **26.01.050.I.**
9. Scope of Approval
- The approval of a text amendment does not authorize the development of land. A text amendment allows property owners to apply for permits or actions consistent with its standards and requirements.
10. Recordkeeping
- The UDC's text amendment shall be codified and published as part of the Code of Ordinances by the City Clerk.

F. Comprehensive Plan Amendment

1. Applicability.
- This Section applies to any action of the City Council to amend or change the contents of the Comprehensive Plan. This includes the textual content, charts, graphs, and other figures, and any recommendations and action items found within.
2. Initiation
- A comprehensive plan amendment may be initiated by:

- a. City Council;
- b. Planning Commission; or
- c. City staff.
3. Completeness
See **26.01.050.B.2.b.**
4. Notice and Hearing(s)
 - a. Noticing shall comply with **26.01.050.G.** and state law, as applicable.
 - b. Two (2) public hearings are required and shall comply with **26.01.050.H.**
5. Standards
 - a. Amendments to the Comprehensive Plan shall support the health, safety, and welfare of the public.
6. Subsequent Applications
Not applicable.
7. Appeals
Not applicable.
8. Decision
 - a. Planning Commission Hearing and Recommendation
The Planning Commission shall conduct a public hearing on the amendment. The Planning Commission shall submit its recommendation to the City Council:
 - (i) To approve the amendment,
 - (ii) To continue the amendment,
 - (iii) To deny the amendment, or
 - (iv) To approve the amendment with modifications.
 - b. City Council Hearing and Decision
The City Council shall consider the amendment at a public hearing after a recommendation has been provided by the Planning Commission. After the hearing is closed, the City Council shall by ordinance:
 - (i) Adopt the amendment,
 - (ii) Deny the amendment,
 - (iii) Approve the amendment with revisions, or
 - (iv) Remand the amendment to the Planning Commission.

G. Public Notice

1. Public Notice Required
 - a. Public notice is required as shown in **Table 01-2: Summary of Required Public Notice** and by 11 O.S. § 43-104 and 11 O.S. § 43-106.
 - b. In addition to the required filing fee, the applicant shall pay for costs incurred for all public notices.

Table 01-2: Summary of Required Public Notice

Section	Procedure	Published	Mail
26.02.050.C	Zoning Map Amendments (Rezoning)	X	X
26.02.050.D	Specific Use Permits (SUPs)	X	X

26.02.050.E	Temporary Use Permit (Type C)	X	
26.02.050.F	Planned Unit Developments (PUDs)	X	X
26.02.050.H	Zoning Variances	X	X
26.02.050.I	Zoning Special Exceptions	X	X
26.03.030.B	Preliminary Plat	Not Required	
26.03.030.C	Final Plat		X
26.03.030.E	Vacation of Plats and Replats*	X	X
26.03.030.F	Vacation of Rights-of-Way and Easements	Not Required	
26.03.030.G	Subdivision Waiver	Not Required	
26.01.050.I	Appeals	X	X
26.04.040.A	Site Plans	Not Required	
Key	X = Notice Required * = If the vacation involves a public way or land used for municipal purposes		

- c. In accordance with state law, if the zoning change requested permits the use of treatment facilities, multi-family facilities, transitional living facilities, halfway houses and any housing or facility that may be used for medical or nonmedical detoxification as these terms are defined pursuant to State Statute 43A O.S. § 3-403, written notice shall be provided to all property owners within 1/4-mile of the area to be affected at least 30 calendar days prior to the hearing.

2. Published Notice

City staff shall publish notice of a public hearing in a newspaper publication of general circulation within the City. The notice shall be published no less than 20 calendar days in advance of the public hearing (or 30 calendar days, in the case of a public way vacation in accordance with 11 O.S. § 42-103).

3. Mailed Notice

- a. The Secretary of the Planning Commission or Board of Adjustment shall mail notice to all owners of property within a 300-foot radius of the exterior boundary of the subject property at least 20 days before the first scheduled public hearing. The notice shall contain:
- (i) Date, time and place of the public hearing;
 - (ii) Who will conduct the public hearing;
 - (iii) The current zoning of the property;
 - (iv) The desired zoning classification (if a Zoning Map amendment); and
 - (v) The proposed use of the property (if a Zoning Map amendment to a PUD and/or inclusive of a Special Use Permit); and
 - (vi) The legal description of the property and street address, or approximate location in the City.
- b. Applicants shall be required to provide a certified list of property owners within a 300-foot radius of the exterior boundary subject property, to include at least 10 names. In the event that fewer than 10 property owners are within the prescribed 300-foot radius, the radius shall be extended in 100-foot increments until the required number of property owners is included on the ownership list. However, when it is necessary to extend the 300-foot radius, all owners within the extension shall be included in the official ownership list, even when that amount exceeds 10 owners.

- c. The list shall be certified by an abstractor, attorney, Oklahoma County Assessor, or title company. The date of the certified list shall be no more than 90 days prior to the first scheduled public hearing.
- 4. Constructive Notice

Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements prescribed by the City. This provision does not apply to public notice required by State statutes.
- 5. Abutting Developed Properties
 - a. Generally
 - (i) Some non-residential uses, when proposed for development abutting an existing developed use, shall be required to provide and verify the provision of Pre-Application Abutting Neighbor meetings to all abutting properties.
 - (ii) Those instances in which a certain development type is required to provide Pre-Application Abutting Neighbor meetings are established in Table 01-3: Pre-Application Meeting Requirements per Development Type below.
 - b. Applicability
 - (i) Public input opportunities for abutting residential uses, as established in this section, shall be required for all specific use permits, planned unit developments, and site plans.

Table 01-3: Pre-Application Meeting Requirements per Development Type

Proposed Use → Existing Abutting Use ↓	Residential	Public and Civic	Type 1 Commercial	Type 2 Commercial	Type 3 Commercial	Type 1 Industrial	Type 2 Industrial
Residential	-	1	2	2	2	3	3
Public and Civic	-	-	1	1	1	2	3
Agricultural	-	-	1	1	1	2	3
Type 1 Commercial	-	-	-	-	1	2	3
Type 2 Commercial	-	-	-	-	-	-	2
Type 3 Commercial	-	-	-	-	-	-	1
Type 1 Industrial	-	-	-	-	-	-	1
Type 2 Industrial	-	-	-	-	-	-	-
Key	- = No Pre-Application Abutting Neighbor meetings required # =The number of Pre-Application Abutting Neighbor meetings required						

- (ii) In the event that a proposed development is required to provide these meetings, the prospective applicant shall host a pre-application meeting and, among the pre-application items for discussion, shall verify with the City the number of meetings they must provide and any requirements for location, duration, advertisement, and input recording to which they are subject as established in this section.
- c. Input Opportunity Requirements

- (i) The input opportunities required in Table X shall not replace public hearings, including required notice, and such hearings shall still be required for site plans as established elsewhere in this UDC.
- (ii) For the purposes of this section, Commercial Uses shall be labeled as Type 1, Type 2, and Type 3 when grouping certain subcategories or uses together for the purpose of establishing meeting requirements.
 - (a) Type 1 Commercial Uses shall be Care Facilities, Office and Professional Services, and Retail Sales and Service.
 - (b) Type 2 Commercial Uses shall be Animal Services, Entertainment and Recreation, Overnight Accommodation, Alcohol Sales, Drive-Thrus, and Drive-Ins.
 - (c) Type 3 Commercial Uses shall be Vehicle and Equipment Sales and Service, Fuel Pumps, and Outdoor Storage.
- (iii) For the purposes of this section, Industrial Uses shall be labeled as Type 1 or Type 2 when grouping certain subcategories or uses together for the purpose of establishing meeting requirements.
 - (a) Type 1 Industrial Uses shall be Artisan Industry.
 - (b) Type 2 Industrial Uses shall be Light and Heavy Industrial Service, and Marijuana Uses.
- (iv) Such input opportunities shall:
 - (a) Be noticed in accordance with **26.01.050.G.3.**
 - (b) Be located at:
 - i. Edmond City Hall; or
 - ii. An indoor public facility such as a public library, school, university, private event space, or business nearest to the proposed project location, with the express written permission of the chosen venue.
 - (1) Locating the input opportunity further than two miles from the proposed development site shall require review and permission from the Director of Planning, including written documentation of the unavailability of a more proximate venue, unless the meeting is to be held at City Hall.
 - (2) Locating the input opportunity further than five miles from the proposed development site shall be prohibited, unless the meeting is to be held at City Hall.
 - (3) All venues shall be compliant with ADA accessibility standards, including but not limited to the location of the meeting on the ground floor of the venue, and the inclusion of working, ADA accessible sanitary facilities.
 - (c) Begin between the hours of 8:00 A.M. and 7:00 P.M., and shall each be open to participants for a minimum of one hour.
 - i. Meetings shall not occur on observed federal or state holidays, and are discouraged from occurring during other religious holidays or during common times of worship.
 - (d) Furnish sign-in sheets on which are written the date and location of the input opportunity, and on which participants may write their name, address, and contact information; such sign-in sheets shall be provided to the City after the input opportunity has concluded.
 - (e) Furnish information to participants about the proposed development in the form of hard copy plans, sketches, photographs, renderings, and/or written descriptions,

- including:
- i. Address
 - ii. Additional general location description
 - iii. Proposed land use and whether this is a change from what currently exists on the site
 - iv. Whether rezoning is necessary, anticipated, or has already occurred as part of this proposed development
 - v. Potential for adverse impacts that may extend beyond the property line as established in **26.04.010.L**.
 - vi. Anticipated quantity and location or orientation of parking facilities on the site
 - vii. Anticipated location of driveways and access points on the site
 - viii. Anticipated footprint and height of all structures on the site
 - ix. Anticipated tree preservation and landscaping impacts on the site
 - x. Anticipated grading and stormwater impacts on the site
- (f) The items in **26.01.050.G.5.c(iv)(e)** may be furnished in the form of physical or digital copies distributed individually to participants and/or in the form of exhibits such as boards, maps, or visual aids for presentation, such as slide decks.
 - (g) The applicant shall record any input given by participants about the information furnished, and shall submit said recordings as part of the formal application process.
 - i. Records shall take the form of written comment logs, meeting minutes, video recordings, audio recordings, annotated meeting materials, or a combination thereof.
 - (h) Plans submitted for formal review that differ from those presented at the meeting(s) shall be accompanied by documentation of alterations made on the basis of meeting input as described in the UDM.

H. Public Hearing

Table 01-4 Summary of Required Public Hearings identifies the types of applications requiring a public hearing and the review body responsible for conducting the hearing.

Table 01-4 Summary of Required Public Hearings

Procedure		Board of Adjustment	Planning Commission	City Council
26.02.050.C	Zoning Map Amendments (Rezoning)		X	X
26.02.050.D	Specific Use Permits (SUPs)		X	X
26.02.050.E	Temporary Use Permit (Type B & C)		X	
26.02.050.F	Planned Unit Developments (PUDs)		X	X
26.02.050.H	Zoning Variances	X		
26.02.050.I	Zoning Special Exceptions	X		
26.03.030.B	Preliminary Plat		X	
26.03.030.C	Final Plat		X	
26.03.030.E	Vacation of Plats and Replats*		X	
26.03.030.D	Lot Splits and Lot Line Adjustments			
26.03.030.F	Vacation of Rights-of-Way and Easements			

Procedure		Board of Adjustment	Planning Commission	City Council
26.03.030.G	Subdivision Waiver			
26.01.050.I	Appeals	X	X	X
26.04.040.A	Site Plans			
26.04.040.B.11.f	Site Plans with Special Use Permits (SUPs)		X	X
Key	X = Hearing Required * = If the vacation involves a public way or land used for municipal purposes, District Court will act on the application			

I. Appeals

1. Appeals of Decisions of Administrative Officials

Pursuant to 11 O.S. § 44-109 an applicant aggrieved by a decision of an administrative official regarding the provisions of this UDC shall appeal to the Board of Adjustment, except where otherwise provided in this UDC.

a. Initiation

- (i) In order to make an appeal, the aggrieved party shall file a notice of appeal with the City Clerk within 30 calendar days of the administrative official's final action.

b. Completeness

- (i) Generally, see **26.01.050.B.2.b.**
- (ii) In addition to the requirements of **26.01.050.B.2.b.**, the applicant shall provide the following information:
 - (a) Summary of any reasons provided by the administrative official concerning the decision made in the case
 - (b) Reasons the applicant of the appeal contends that the administrative official erred in their decision
 - (c) Reasons the applicant of the appeal believes that the public health, safety, and welfare would be better served if the administrative official's action were reversed
 - (d) Any new and pertinent information bearing on the case which may not have been available or have been overlooked by the administrative official or which may have become available subsequent to the final action of the administrative official.
- (iii) Notice and Hearing(s)
 - (a) Noticing shall comply with **26.01.050.G** and Oklahoma State law, as applicable.
 - (b) A public hearing is required and shall comply with **26.01.050.H.**
- (iv) Decision
 - (a) The Board of Adjustment shall review the appeal request at the required public hearing and shall act to:
 - i. Affirm the administrative official's decision;
 - ii. Reverse the administrative official's decision; or
 - iii. Remand the appeal request to the administrative official for further study and recertification of specific considerations.
 - (b) Subsequent Applications
 - i. Not applicable

- (c) Appeals
 - i. See **26.01.050.I.3.**
- 2. Appeals of Decisions of the Planning Commission

Pursuant to 11O.S. § 45-106, an applicant aggrieved by a decision of the Planning Commission regarding the provisions of this UDC shall appeal to the City Council.

 - a. Initiation
 - (i) In order to make an appeal, the aggrieved party shall file a notice of appeal with the City Clerk within 30 calendar days of the Planning Commission's final action.
 - b. Completeness
 - (i) Generally, see **26.01.050.B.2.b.**
 - (ii) In addition to the requirements of **26.01.050.B.2.b.**, the applicant shall provide the following information:
 - (a) Summary of any reasons provided by the Planning Commission concerning the decision made in the case
 - (b) Reasons the applicant of the appeal contends that the Planning Commission erred in their decision
 - (c) Reasons the applicant of the appeal believes that the public health, safety, and welfare would be better served if the Planning Commission's action were reversed
 - (d) Any new and pertinent information bearing on the case which may not have been available or have been overlooked by the Planning Commission or which may have become available subsequent to the final action of the Planning Commission.
 - (iii) Notice and Hearing(s)
 - (a) Noticing shall comply with **26.01.050.G** and Oklahoma State law, as applicable.
 - (b) A public hearing is required and shall comply with **26.01.050.H.**
 - (iv) Decision
 - (a) The City Council shall review the appeal request at the required public hearing and shall act to:
 - i. Affirm the Planning Commission's decision;
 - ii. Reverse the Planning Commission's decision; or
 - iii. Remand the appeal request to the Planning Commission for further study and recertification of specific considerations.
 - (b) Subsequent Applications
 - i. Not applicable
 - (c) Appeals
 - i. See **26.01.050.I.3.**
 - 3. Appeals of Decisions of City Council or Board of Adjustment

Pursuant to 11 O.S. § 44-110 and 11 O.S. § 43-190.1, an applicant aggrieved by a decision of the City Council or Board of Adjustment may appeal to the District Court by filing a notice of appeal with the City Clerk within 30 calendar days of the decision.

Chapter 26.02. Zoning Regulations

26.02.010. Zoning General Provisions

A. Context Areas, Overlays, and Zoning Districts Established

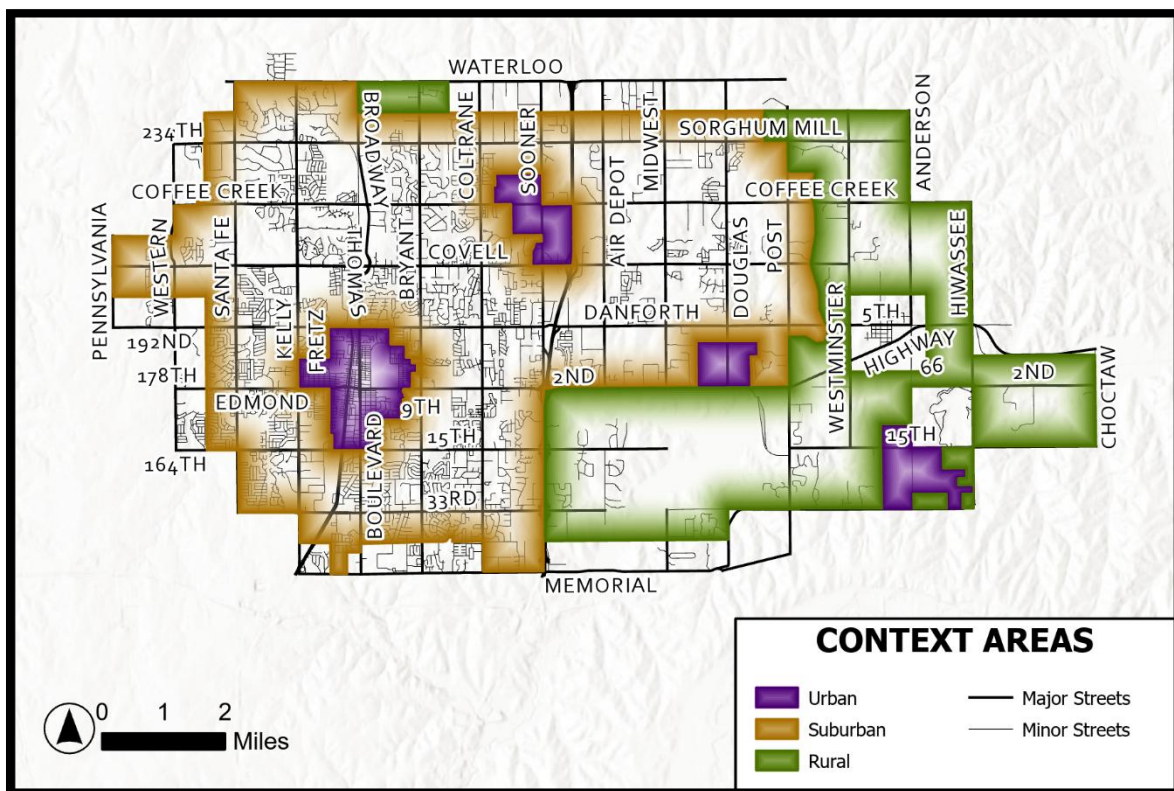
1. Generally

The City is hereby geographically divided into the following context areas and zoning districts. Each context area provides zoning districts that include permitted uses and dimensional standards.

2. Context Areas and Overlays

All context areas are identified in Figure 02-1: Context Areas

Figure 02-1: Context Areas



a. Rural Context

Rural Context means those areas:

- (i) Without access to planned or existing public water and wastewater system; and
- (ii) Without an existing or planned local street network, or where access is primarily provided by private driveways; and
- (iii) Without convenient or nearby access to public open spaces and parks; and
- (iv) Where large lots (typically larger than 40 acres) are undeveloped, used for agriculture, preserved for forested areas, or support single-family residences in a rural setting or pattern.

b. Suburban Context

Suburban Context means those areas:

- (i) Where infrastructure and utilities are planned to or currently exist and can support moderate development intensities; and
- (ii) Built out with existing development and suitable for infill and redevelopment; and
- (iii) Where a variety of low- to moderate-density home types and supportive commercial and civic activities can be located close to open spaces, public parks, and other amenities.

c. Urban Context

Urban Context means those areas:

- (i) Where existing or improved infrastructure and utilities can support high development intensities; and
- (ii) Where development is walkable and human-scaled; and
- (iii) Where buildings, streets, sidewalks, and public spaces form complete neighborhoods; and
- (iv) Platted or built using a pattern that easily accommodates active mobility modes for people of all ages and abilities, including some locations that can support redevelopment.

d. Corridor Overlays

Corridor Overlays means those areas located adjacent to significant roadways, especially those serving as gateways to the City.

e. Arcadia Lake Protection Overlay

Means those areas:

- (i) That are planned and developed to protect and enhance water quality;
- (ii) That incorporate development patterns that respond to and benefit from access to the lake; and
- (iii) That do not apply to or overlap with the Urban Context area located near 2nd Street and Douglas Boulevard.

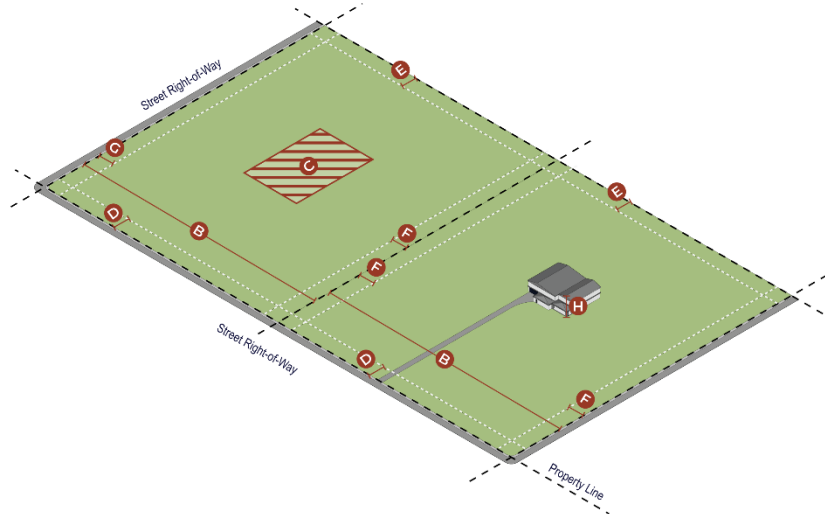
B. Zoning Map

The context areas, overlays, zoning districts, and their boundaries are adopted and established as shown on the Zoning Map of the City of Edmond, Oklahoma. The Zoning Map includes all notations, references, data, district boundaries, and other associated information, and is adopted as part of this UDC. The Zoning Map, properly attested, is on file with the Planning Department and displayed on a publicly available website. The Zoning Map may be amended as provided in this UDC.

26.02.020. Zoning Districts

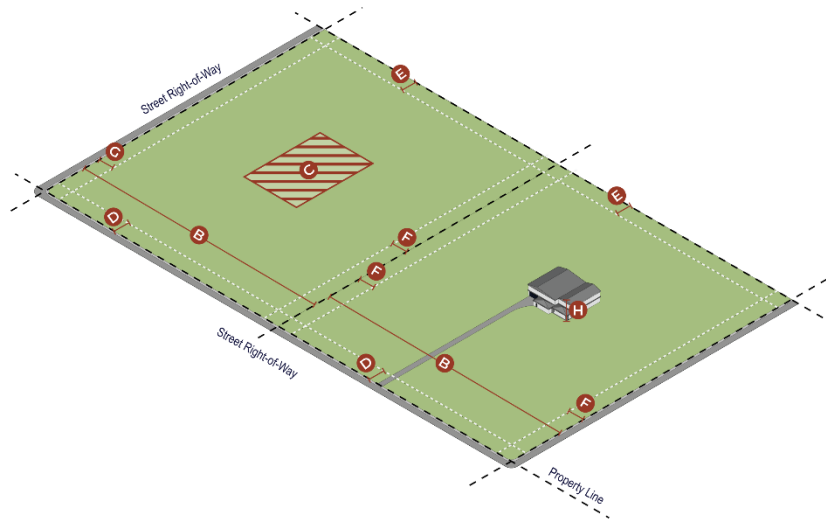
A. Residential Districts

1. Rural – Agricultural Preservation (R-AG) District



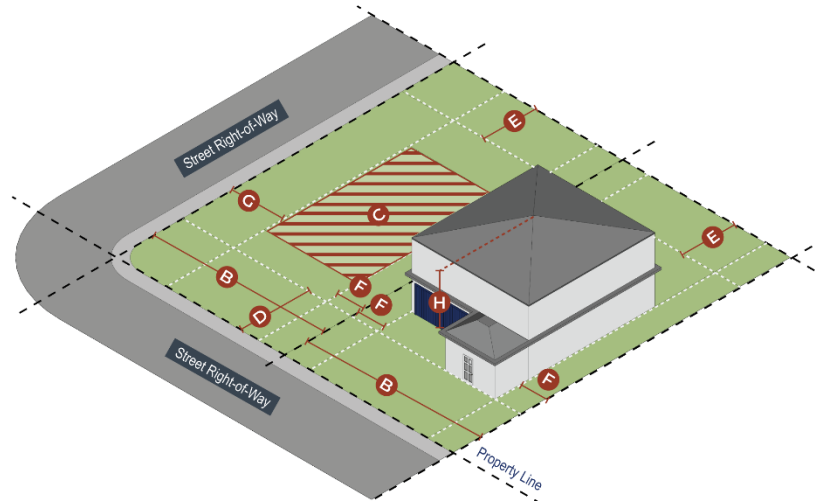
Description and Purpose		
The Rural – Agricultural Preservation (R-AG) District accommodates the continued use of agricultural lands and the preservation of forested areas, wildlife, and open space.		
Lot Requirements		
A	Lot Area (min.)	40 acres
B	Lot Width (min.)	500 feet
C	Impervious Surface Coverage (max.)	10%
Setback Requirements		
D	Front Setback (min.)	50 feet
E	Rear Setback (min.)	30 feet
F	Side Setback (min.)	25 feet
G	Corner Side Setback (min.)	25 feet
Building Requirements		
H	Building Height (max.)	N/A
Special Requirements		
In accordance with Oklahoma Department of Environmental Quality requirements and 26.04.020. Subdivision Design Standards and Required Improvements , water wells and septic systems may be used within this district.		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table	26.04.010.H. Outdoor Lighting	
26.02.040.C. Use-Specific Regulations	26.04.010.I. Refuse Management	
26.04.010.B. Dimensional Regulations	26.04.010.J. Infill Development	
26.04.010.C. Parking	26.04.010.K. Accessory Buildings	
26.04.010.D. Loading and Vehicle Stacking	26.04.010.L. Performance Standards	
26.04.010.E. Form Standards	26.04.020. Subdivision Development Standards	
26.04.010.F. Screening	26.04.030. Urban Forestry and Landscape	
26.04.010.G. Fencing	Chapter 26.05 Stormwater Drainage	

2. Rural – Neighborhood (R-NH) District



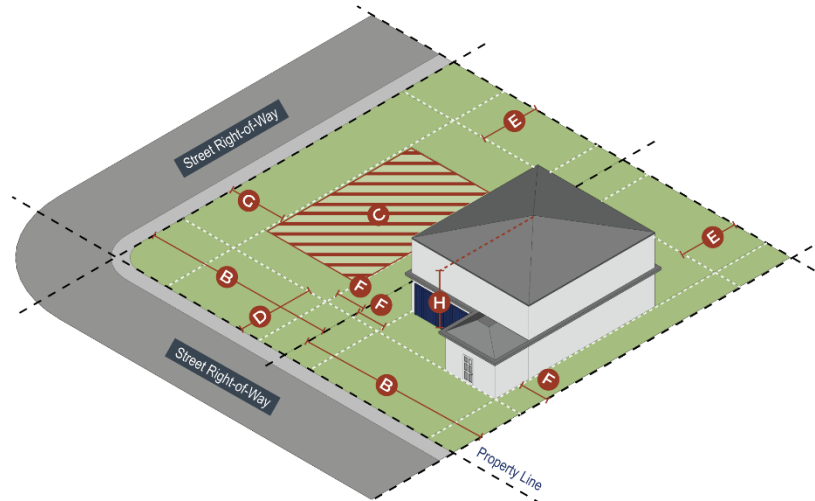
Description and Purpose		
The Rural – Neighborhood (R-NH) District accommodates areas where very low density, large lot residential development is the predominant development pattern, complemented by low-intensity nonresidential uses that support and enhance rural living. Nonresidential development in this district is most appropriately located at the peripheries of residential developments along arterials, collectors, and at intersections.		
Lot Requirements		
A	Lot Area (min.)	5 acres
B	Lot Width (min.)	100 feet
C	Impervious Surface Coverage (max.)	20%
Setback Requirements		
D	Front Setback (min.)	40 feet
E	Rear Setback (min.)	20 feet
F	Side Setback (min.)	15 feet
G	Corner Side Setback (min.)	15 feet
Building Requirements		
H	Building Height (max.)	35 feet
I	Building Footprint (max.)	15,000 square feet
Special Requirements		
Conservation subdivision development may be approved as provided in Chapter 26.03 . In accordance with Oklahoma Department of Environmental Quality requirements and 26.04.020.J. Subdivision Design Standards and Required Improvements , water wells and septic systems may be used within this district.		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table		26.04.010.H. Outdoor Lighting
26.02.040.C. Use-Specific Regulations		26.04.010.I. Refuse Management
26.04.010.B. Dimensional Regulations		26.04.010.J. Infill Development
26.04.010.C. Parking		26.04.010.K. Accessory Buildings
26.04.010.D. Loading and Vehicle Stacking		26.04.010.L. Performance Standards
26.04.010.E. Form Standards		26.04.020. Subdivision Development Standards
26.04.010.F. Screening		26.04.030. Urban Forestry and Landscape
26.04.010.G. Fencing		Chapter 26.05 Stormwater Drainage

3. Suburban – Residential (S-RE) District

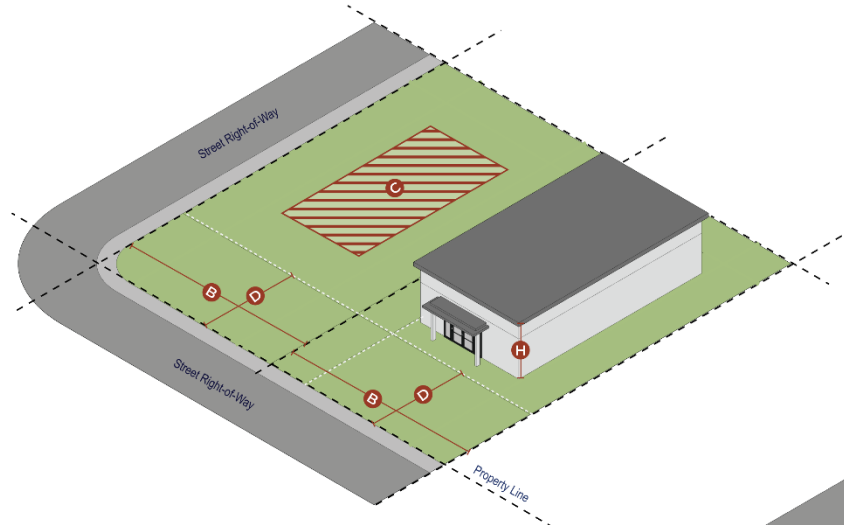


Description and Purpose		
The Suburban – Residential (S-RE) District provides a development pattern that emphasizes a mixture of residential building types with supporting amenities such as parks, open space, and everyday services.		
Lot Requirements		
A	Lot Area (min.)	4,500 square feet
B	Lot Width (min.)	40 feet
C	Impervious Surface Coverage (max.)	55%
Setback Requirements		
D	Front Setback (min.)	20 feet
E	Rear Setback (min.)	10 feet
F	Side Setback (min.)	6 feet
G	Corner Side Setback (min.)	10 feet
Building Requirements		
H	Building Height (max.)	35 feet
Special Requirements		
N/A		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table	26.04.010.H. Outdoor Lighting	
26.02.040.C. Use-Specific Regulations	26.04.010.I. Refuse Management	
26.04.010.B. Dimensional Regulations	26.04.010.J. Infill Development	
26.04.010.C. Parking	26.04.010.K. Accessory Buildings	
26.04.010.D. Loading and Vehicle Stacking	26.04.010.L. Performance Standards	
26.04.010.E. Form Standards	26.04.020. Subdivision Development Standards	
26.04.010.F. Screening	26.04.030. Urban Forestry and Landscape	
26.04.010.G. Fencing	Chapter 26.05 Stormwater Drainage	

4. Suburban – Neighborhood (S-NH) District

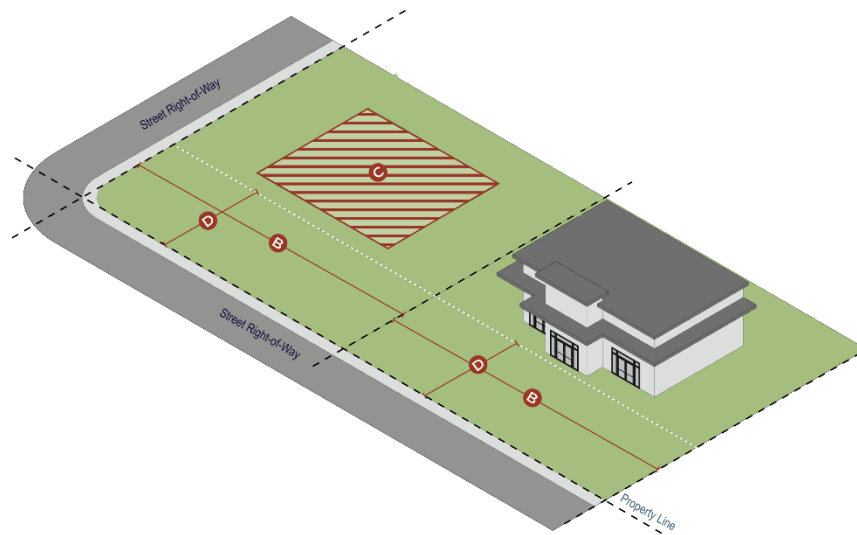


Description and Purpose		
The Suburban – Neighborhood (S-NH) District is supports a development pattern where a mix of housing types are complemented by nonresidential uses that provide basic elements of convenient and accessible neighborhoods.		
Lot Requirements		
A	Lot Area (min.)	4,500 square feet
B	Lot Width (min.)	40 feet
C	Impervious Surface Coverage (max.)	60%
Setback Requirements		
D	Front Setback (min.)	20 feet
E	Rear Setback (min.)	10 feet
F	Side Setback (min.)	6 feet
G	Corner Side Setback (min.)	10 feet
Building Requirements		
H	Building Height (max.)	45 feet
I	Nonresidential Building Footprint (max.)	7,500 square feet
Special Requirements		
N/A		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table		26.04.010.H. Outdoor Lighting
26.02.040.C. Use-Specific Regulations		26.04.010.I. Refuse Management
26.04.010.B. Dimensional Regulations		26.04.010.J. Infill Development
26.04.010.C. Parking		26.04.010.K. Accessory Buildings
26.04.010.D. Loading and Vehicle Stacking		26.04.010.L. Performance Standards
26.04.010.E. Form Standards		26.04.020. Subdivision Development Standards
26.04.010.F. Screening		26.04.030. Urban Forestry and Landscape
26.04.010.G. Fencing		Chapter 26.05 Stormwater Drainage

B. Nonresidential Districts**1. Suburban – Local Commercial (S-LC) District**

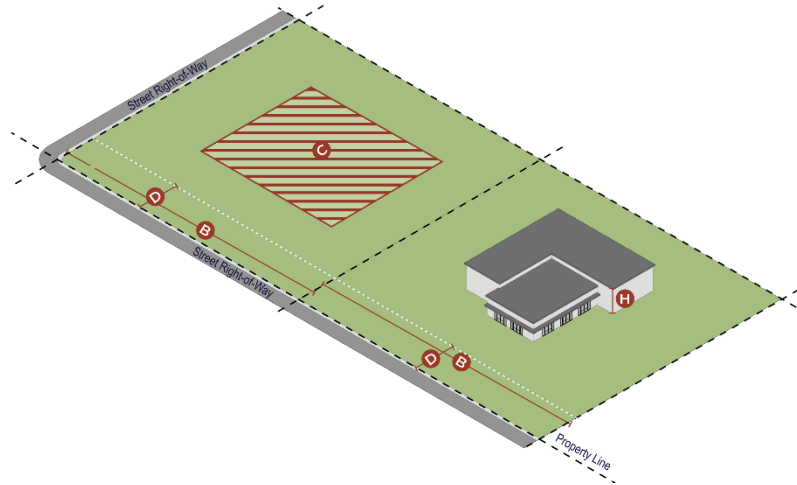
Description and Purpose		
The Suburban – Local Commercial (S-LC) District provides a range of nonresidential uses that support nearby residential uses, and allows for moderate density residential development. This district is most appropriately located along arterials and collectors.		
Lot Requirements		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	25 feet
C	Impervious Surface Coverage (max.)	60%
Setback Requirements		
D	Front Setback (min.)	15 feet
E	Rear Setback (min.)	N/A
F	Side Setback (min.)	N/A
G	Corner Side Setback (min.)	N/A
Building Requirements		
H	Building Height (max.)	45 feet
I	Building Footprint (max.)	40,000 square feet
Special Requirements		
N/A		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table	26.04.010.H. Outdoor Lighting	
26.02.040.C. Use-Specific Regulations	26.04.010.I. Refuse Management	
26.04.010.B. Dimensional Regulations	26.04.010.J. Infill Development	
26.04.010.C. Parking	26.04.010.K. Accessory Buildings	
26.04.010.D. Loading and Vehicle Stacking	26.04.010.L. Performance Standards	
26.04.010.E. Form Standards	26.04.020. Subdivision Development Standards	
26.04.010.F. Screening	26.04.030. Urban Forestry and Landscape	
26.04.010.G. Fencing	Chapter 26.05 Stormwater Drainage	

2. Suburban – Regional Commercial (S-RC) District



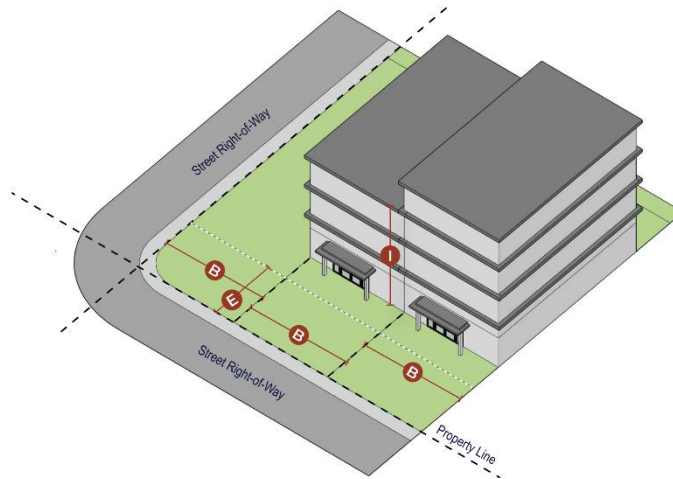
Description and Purpose		
The Suburban – Regional Commercial (S-RC) District provides for shopping and commercial activities along major corridors that offer a full range of retail opportunities, employment services, and destinations for local residents and those visiting from throughout the region. It also allows for high-density residential development.		
Lot Requirements		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	25 feet
C	Impervious Surface Coverage (max.)	60%
Setback Requirements		
D	Front Setback (min.)	30 feet
E	Rear Setback (min.)	N/A
F	Side Setback (min.)	N/A
G	Corner Side Setback (min.)	N/A
Building Requirements		
H	Building Height (max.)	45 feet
Special Requirements		
N/A		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table		26.04.010.H. Outdoor Lighting
26.02.040.C. Use-Specific Regulations		26.04.010.I. Refuse Management
26.04.010.B. Dimensional Regulations		26.04.010.J. Infill Development
26.04.010.C. Parking		26.04.010.K. Accessory Buildings
26.04.010.D. Loading and Vehicle Stacking		26.04.010.L. Performance Standards
26.04.010.E. Form Standards		26.04.020. Subdivision Development Standards
26.04.010.F. Screening		26.04.030. Urban Forestry and Landscape
26.04.010.G. Fencing		Chapter 26.05 Stormwater Drainage

3. Suburban – Flex Industrial (S-FI) District



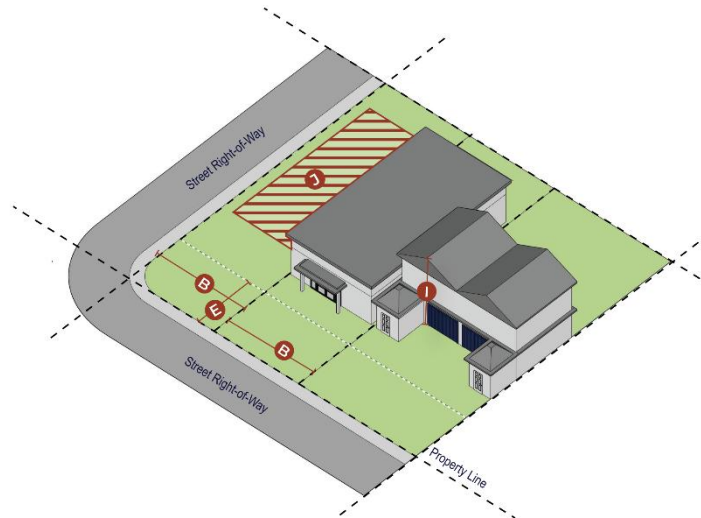
Description and Purpose		
The Suburban – Flex Industrial (S-FI) District provides for manufacturing, wholesaling, warehousing, research facilities, and similar types of industrial uses and employers. This district is most appropriately located adjacent to commercial uses.		
Lot Requirements		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	25 feet
C	Impervious Surface Coverage (max.)	75%
Setback Requirements		
D	Front Setback (min.)	20 feet
E	Rear Setback (min.)	N/A
F	Side Setback (min.)	N/A
G	Corner Side Setback (min.)	N/A
Building Requirements		
H	Building Height (max.)	80 feet
Special Requirements		
N/A		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table		26.04.010.H. Outdoor Lighting
26.02.040.C. Use-Specific Regulations		26.04.010.I. Refuse Management
26.04.010.B. Dimensional Regulations		26.04.010.J. Infill Development
26.04.010.C. Parking		26.04.010.K. Accessory Buildings
26.04.010.D. Loading and Vehicle Stacking		26.04.010.L. Performance Standards
26.04.010.E. Form Standards		26.04.020. Subdivision Development Standards
26.04.010.F. Screening		26.04.030. Urban Forestry and Landscape
26.04.010.G. Fencing		Chapter 26.05 Stormwater Drainage

4. Urban – Core District (U-CR)



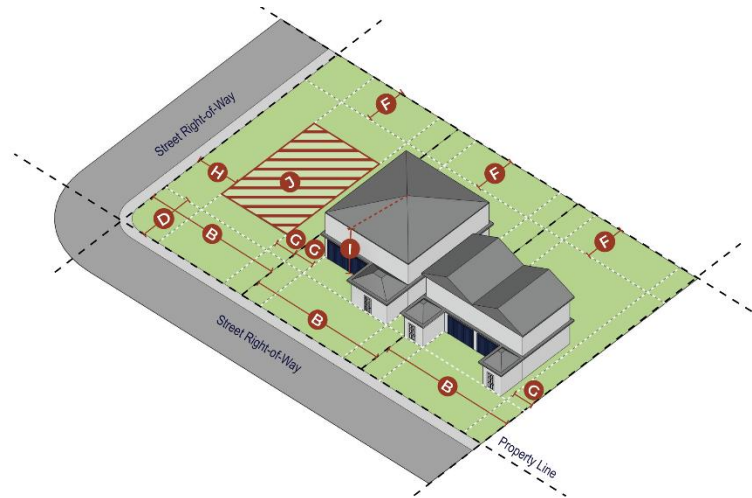
Description and Purpose		
The Urban – Core District fosters a vibrant environment focused on urban form with buildings located near the street and emphasizing the pedestrian realm. This district is designed to be a destination and an employment center, complemented by urban living options. By prioritizing walkability and mixed-use development, this district is a dynamic and attractive hub for residents and visitors alike.		
Lot Requirements		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	20 feet
C	Impervious Surface Coverage (max.)	N/A
Setback Requirements		
D	Front Setback (min.)	N/A
E	Front Setback (max.)	10 feet
F	Rear Setback (min.)*	N/A
G	Side Setback (min.)	N/A
H	Corner Side Setback (min.)	N/A
Building Requirements		
I	Building Height (min.)	3 Stories
J	Building Footprint (max.)	N/A
Special Requirements		
*Where the rear side of structures face onto alleys, a minimum setback of 15 feet from the centerline of the alley right-of-way is required.		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table		26.04.010.H. Outdoor Lighting
26.02.040.C. Use-Specific Regulations		26.04.010.I. Refuse Management
26.04.010.B. Dimensional Regulations		26.04.010.J. Infill Development
26.04.010.C. Parking		26.04.010.K. Accessory Buildings
26.04.010.D. Loading and Vehicle Stacking		26.04.010.L. Performance Standards
26.04.010.E. Form Standards		26.04.020. Subdivision Development Standards
26.04.010.F. Screening		26.04.030. Urban Forestry and Landscape
26.04.010.G. Fencing		Chapter 26.05 Stormwater Drainage

5. Urban – Transition District (U-TR)



Description and Purpose		
The Urban – Transition District supports a balanced environment that bridges the core urban areas with nearby neighborhoods. Building form is urban in nature but at a lower intensity than the Urban Core District to promote compatibility with surrounding areas. This district is a blend of land uses, including shopping, dining, and a variety of residential options.		
Lot Requirements		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	30 feet
C	Impervious Surface Coverage (max.)	N/A
Setback Requirements		
D	Front Setback (min.)	N/A
E	Front Setback (max.)	20 feet
F	Rear Setback (min.)	N/A
G	Side Setback (min.)	N/A
H	Corner Side Setback (min.)	N/A
Building Requirements		
I	Building Height (max.)	60 feet
J	Building Footprint (max.)	10,000 square feet
Special Requirements		
Where the rear side of a structure faces onto alleys, a minimum setback of 15 feet from the centerline of the alley right-of-way is required.		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table		26.04.010.H. Outdoor Lighting
26.02.040.C. Use-Specific Regulations		26.04.010.I. Refuse Management
26.04.010.B. Dimensional Regulations		26.04.010.J. Infill Development
26.04.010.C. Parking		26.04.010.K. Accessory Buildings
26.04.010.D. Loading and Vehicle Stacking		26.04.010.L. Performance Standards
26.04.010.E. Form Standards		26.04.020. Subdivision Development Standards
26.04.010.F. Screening		26.04.030. Urban Forestry and Landscape
26.04.010.G. Fencing		Chapter 26.05 Stormwater Drainage

6. Urban – Edge District (U-ED)



Description and Purpose		
The Urban – Edge District prioritizes residential living while accommodating some local retail and office storefronts. Smaller-scale, low-rise urban forms are most appropriate. This district supports a variety of housing to create welcoming and diverse neighborhoods. The district ensures convenient access to amenities by integrating essential services and businesses while maintaining a primarily residential character.		
Lot Requirements		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	35 feet
C	Impervious Surface Coverage (max.)	N/A
Setback Requirements		
D	Front Setback (min.)	10 feet
E	Front Setback (max.)	35 feet
F	Rear Setback (min.)*	5 feet
G	Side Setback (min.)**	6 feet
H	Corner Side Setback (min.)	5 feet
Building Requirements		
I	Building Height (max.)	45 feet
J	Building Footprint (max.)	20,000 square feet
Special Requirements		
**The minimum side yard setback shall not apply to duplex or townhome developments.		
*Where the rear side of a structure faces onto alleys, a minimum setback of 15 feet from the centerline of the alley right-of-way is required.		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table		26.04.010.H. Outdoor Lighting
26.02.040.C. Use-Specific Regulations		26.04.010.I. Refuse Management
26.04.010.B. Dimensional Regulations		26.04.010.J. Infill Development
26.04.010.C. Parking		26.04.010.K. Accessory Buildings
26.04.010.D. Loading and Vehicle Stacking		26.04.010.L. Performance Standards
26.04.010.E. Form Standards		26.04.020. Subdivision Development Standards
26.04.010.F. Screening		26.04.030. Urban Forestry and Landscape
26.04.010.G. Fencing		Chapter 26.05 Stormwater Drainage

26.02.030. Special Districts

A. Planned Unit Development

Description and Purpose
The Planned Unit Development (PUD) District supports the combining and mixing of uses allowed in various districts with appropriate regulations providing flexibility in the use and design of land and buildings where modification of specific provisions of this UDC is consistent with the planning on which it is based and will not be harmful to the community. A PUD District may be used to permit new and innovative concepts in land utilization. Procedures are established to prevent misuse of the increased flexibility of this district while allowing development that is not otherwise permitted.
Special Requirements
See 26.02.050.F. Planned Unit Development (PUD) for more information regarding the procedures and requirements related to PUDs.

1. Required Elements

- a. A PUD shall provide a statement of purpose articulating, in general, its intended development types, relationship to the natural environment, relationship to existing development, and unique characteristics warranting its establishment as a new district.
- b. A PUD shall provide standard minimum and/or maximum values for, or indicate the non-applicability of, the following dimensions:
 - (i) Lot Area
 - (ii) Lot Width
 - (iii) Impervious Surface Coverage
 - (iv) Front Setback
 - (v) Rear Setback
 - (vi) Side Setback
 - (vii) Corner Side Setback
 - (viii) Building Height
 - (ix) Building Footprint
- c. A PUD shall provide a list of permitted land uses, including permanent principal uses and accessory uses, derived from those uses defined and established in **26.02.040** of this UDC. This shall be accompanied by an acknowledgment of the sustained applicability of all use-specific standards regulating the district's permitted uses, unless a specific exemption is sought by the applicant.
- d. A PUD shall provide by reference applicable development standards addressing all components of development established in **Chapter 26.04** of this UDC, indicating specific deviations or exemptions from these standards.

B. Overlay Districts

1. Generally

- a. Overlay districts are created to facilitate specific development outcomes through special standards and provisions that apply to a geographic area due to unique characteristics.
- b. Overlay districts shall not replace base zoning, and properties within an overlay district may be rezoned, with new zoning accordingly modified by the overlay district.
- c. The regulations of a base zoning district shall remain applicable to all development within the district unless explicitly altered or nullified by the overlay district's regulations, in which case the regulations of the overlay district shall control.

2. Procedures

- a. Establishment or modification of boundaries of an overlay district shall follow the procedures for Rezoning established in **26.02.050.C**.
 - b. New overlay districts shall be established only when there is a clear demonstration that the proposed district can effectively implement adopted plans or policies.
3. Corridor Overlay Districts
- a. Purpose
 - (i) Corridor Overlay Districts are established to accommodate the unique site demands and opportunities along Edmond's major thoroughfares, intending to:
 - (a) Optimize health, safety, and welfare outcomes;
 - (b) Capitalize on site conditions and development contexts favorable to Edmond's development goals and adopted plans and policy recommendations; and
 - (c) Preserve and enhance historic design and construction along certain thoroughfares.
 - b. Interpretations
 - (i) All uses permitted by right, as limited uses, and those requiring Specific Use Permits within a base zoning district shall be permitted in the same manner in the Corridor Overlays, subject to all use-based standards.
 - (ii) Corridor Overlays may also grant additional use permissions, meaning that a use which is prohibited in a given base zoning district may be permitted by right, as a limited use, or with a Specific Use Permit within that District where the Corridor Overlay is established. Corridor Overlays do not generally restrict or reduce use permissions relative to those present in the base zoning district.
 - (iii) Each Corridor Overlay District articulates its standards in a table, including the following provisions:
 - (a) "Unmodified," meaning that the equivalent standard of the base zoning of a property remains in effect.
 - (b) A specific, relative dimension (for example, "+15% of Base Zoning"), meaning that the value of the base district is increased or decreased to a maximum or minimum according to the Overlay's established value.

c. Corridor – U.S. Interstate 35 (C-IS) Overlay

Description and Purpose		
The Corridor – U.S. Interstate 35 (C-IS) Overlay provides for more intense development along Interstate 35 (I-35) frontage, such as multi-story mixed-use buildings, offices, and village centers. Development that supports a regional trade area is both appropriate and expected. Major commercial tenants, employers, entertainment venues, and tourist attractions should be catalytic in this district. High- and medium-density residential development may be suitable behind commercially-fronted uses to provide housing options to the district.		
Lot Modifications		
A	Lot Area (min.)	Unmodified
B	Lot Width (min.)	-25% of Base Zoning
C	Impervious Surface Coverage (max.)	+20% of Base Zoning
Setback Modifications		
D	Front Yard (min.)	Unmodified
E	Front Yard (max.)	-15% of Base Zoning
F	Rear Yard (min.)	Unmodified
G	Side Yard (min.)	Unmodified
H	Corner Side Yard (min.)	Unmodified
Building Modifications		
I	Building Height (max.)	+30% of Base Zoning
J	Building Footprint (max.)	+30% of Base Zoning
Special Provisions		
- The C-IS Overlay shall be applied to all land within one thousand three hundred twenty (1,320) feet of the right-of-way centerline of U.S. Interstate 35, unless otherwise depicted on the adopted zoning map. Properties partially within this overlay shall be subject to its standards if 51% or more of their area is within the bounds of the overlay. - Additional uses permitted within the C-IS Overlay are established in 26.02.040.B. Where the permissions of a use differ between a base zoning district and an Overlay, the permissions of the Overlay shall control. - All properties within the C-IS Overlay abutting the Interstate 35 right-of-way shall require Type C screening as defined in 26.04.010.F.3.b to be installed along the property lines abutting said right-of-way.		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table 26.02.040.C. Use-Specific Regulations 26.04.010.B. Dimensional Regulations 26.04.010.C. Parking 26.04.010.D. Loading and Vehicle Stacking 26.04.010.E. Form Standards 26.04.010.F. Screening 26.04.010.G. Fencing 26.04.010.H. Outdoor Lighting 26.04.010.I. Refuse Management 26.04.010.J. Infill Development 26.04.010.K. Accessory Buildings 26.04.010.L. Performance Standards 26.04.020. Subdivision Development Standards 26.04.030. Urban Forestry and Landscape Chapter 26.05 Stormwater Drainage		

d. Corridor – Route 66 (C-RT) Overlay

Description and Purpose		
The Corridor – Route 66 (C-RT) Overlay provides for a development pattern along the Route 66 Corridor that emphasizes quality design, maximizing the natural land features and retaining the historic character of the corridor to create visually appealing development.		
Lot Modifications		
A	Lot Area (min.)	Unmodified
B	Lot Width (min.)	-25% feet
C	Impervious Surface Coverage (max.)	+15 % of Base Zoning
Setback Modifications		
D	Front Yard (min.)	Unmodified
E	Front Yard (max.)	-15% of Base Zoning
F	Rear Yard (min.)	Unmodified
G	Side Yard (min.)	Unmodified
H	Corner Side Yard (min.)	Unmodified
Building Modifications		
I	Building Height (max.)	+20% of Base Zoning
J	Building Footprint (max.)	+20% of Base Zoning
Special Provisions		
- The C-RT Overlay shall be applied to: - All properties and/or portions of properties depicted within its boundaries as established on the Zoning Map of the City of Edmond. - Properties partially inside this Overlay shall only be subject to the regulations of this Overlay up to the point at which the Overlay is shown to terminate on the Zoning Map, beyond which point they will be subject only to their base zoning district and/or to any other Overlays that may apply. - Additional uses permitted within the C-RT Overlay are established in 26.02.040.B. Where the permissions of a use differ between a base zoning district and an Overlay, the permissions of the Overlay shall control. - Where legal and historically appropriate, the use of neon signage is permissible within the C-RT Overlay. - Development in the C-RT Overlay shall be subject to the stormwater management, LID, and green infrastructure implementation requirements applicable to the O-LP Overlay established in 26.02.030.B.5.		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table	26.04.010.H. Outdoor Lighting	
26.02.040.C. Use-Specific Regulations	26.04.010.I. Refuse Management	
26.04.010.B. Dimensional Regulations	26.04.010.J. Infill Development	
26.04.010.C. Parking	26.04.010.K. Accessory Buildings	
26.04.010.D. Loading and Vehicle Stacking	26.04.010.L. Performance Standards	
26.04.010.E. Form Standards	26.04.020. Subdivision Development Standards	
26.04.010.F. Screening	26.04.030. Urban Forestry and Landscape	
26.04.010.G. Fencing	Chapter 26.05 Stormwater Drainage	

(i) Route 66 Overlay Design Standards

(a) Generally

- i. Non-residential and mixed-use development shall adhere to the form standards established in **26.04.010.E**.

(ii) Frontage Design

Non-residential and mixed-use developments shall employ one of the frontage types established below in **(a)**, **(b)**, **(c)**, and **(d)**.

(a) Canopy Frontage Type

- i. Description

The Canopy Frontage is one in which the front building façade is set back from the front property line to create an outdoor space sheltered by a permanent, durable, architecturally coherent canopy structure. The canopy structure may be attached to or detached from the primary building, and works in tandem with the outdoor space below to create a habitable area typically enclosed by decorative fencing or walls along the front and side property lines, and decorated with landscaping, seating, lighting, and similar amenities accessory to the primary use of the building.

ii. Form Requirements

Form Requirements		
A	Distance between Glazing (max.)	3 ft
B	Depth of Recessed Entries (max.)	5 ft
Canopy/Awning		
C	Depth (min.)	16 ft
	Width, Cumulative (min.)	35% of façade width
D	Setback from Back of Curb (min.)	2 ft
E	Height, Clear (min.)	16 ft

Figure 02-2: Detached Canopy – Horizontal Dimensions Diagram (Aerial View)

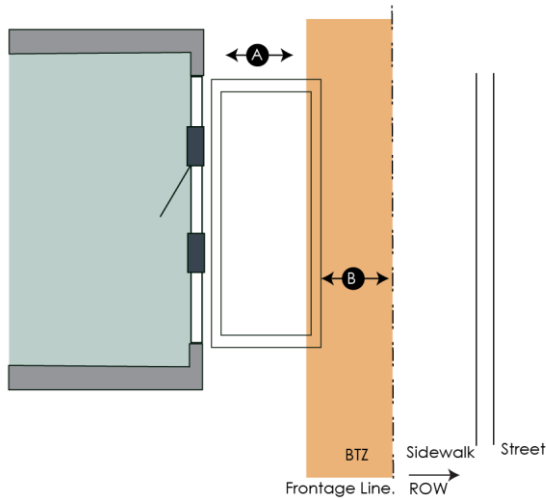


Figure 02-3: Detached Canopy – Vertical Dimensions Diagram (Profile View)

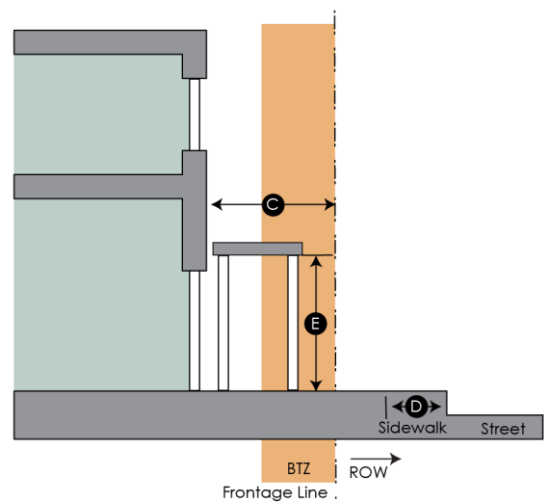


Figure 02-4: Attached Canopy – Horizontal Dimensions Diagram (Aerial View)

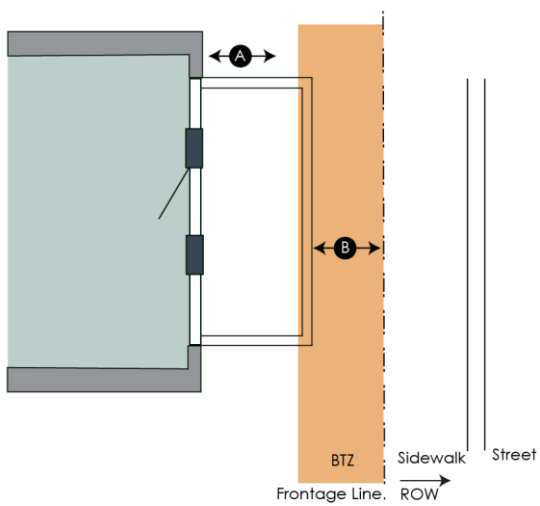
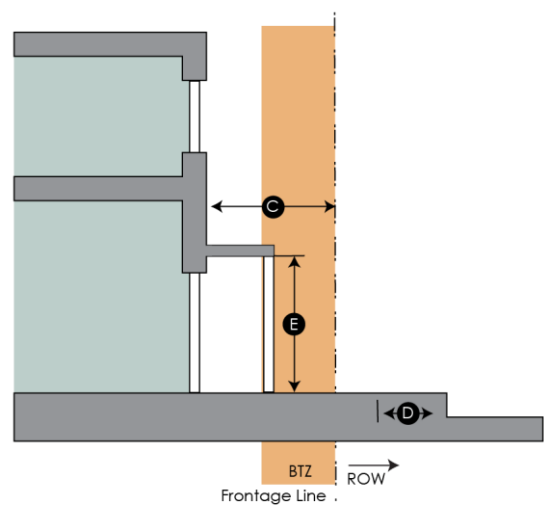


Figure 02-5: Attached Canopy – Vertical Dimensions Diagram (Profile View)



iii. Miscellaneous Requirements

- (1) Any outdoor area in front of the primary building extending to the outermost point of the canopy, whether directly under the canopy or not, shall be protected by a fence or screen generally compliant with **26.04.010.F** and/or **26.04.010.G**;
- (2) The height of any such fence or screen structure, built along the frontage or parallel to side property lines in front of the primary building, shall not exceed 42 inches; and
- (3) Any such fence or screen structure shall contain no fewer than two openings, each not less than 42 inches wide.

(b) Arcade Frontage

i. Description

In the Arcade frontage type, a covered walkway with or without habitable space above encroaches over a sidewalk or walkway. An Arcade shall be used to provide pedestrian circulation along a frontage and extend far enough from the building to provide adequate shade, shelter, and circulation space for pedestrians. An Arcade is intended for buildings with ground-floor commercial uses and is common along public courtyards and walkable streets.

ii. Form Requirements

See **26.04.010.E.4.a(i)(b)**.

(c) Shopfront

i. Description

In the Shopfront frontage type, the front façade of the building is at or near the frontage line with an at-grade entrance along the public right-of-way. The Shopfront frontage also includes a canopy or awning element that overlaps the sidewalk along the majority of the frontage. The canopy is a structural cantilevered shed roof, and the awning is canvas or similar material and is often retractable. A Shopfront may be used in conjunction with other frontage types.

ii. Form Requirements

See **26.04.010.E.4.a(i)(c)**.

(d) Forecourt

i. Description

In the Forecourt frontage type, the primary portion of the building's front façade is at the front setback while a small percentage is set back, creating a courtyard space. This space can be used as an entry court or garden space, or for outdoor seating, dining, or retail.

ii. Form Requirements

See **26.04.010.E.4.a(i)(d)**.

e. Corridor – Core Network (C-CN) Overlay

Description and Purpose		
The Corridor – Core Network (C-CN) Overlay provides for a cohesive, attractive development pattern adjacent to the City’s primary multi-modal corridors not classified within the I-35 or Route 66 districts.		
Lot Modifications		
A	Lot Area (min.)	Unmodified
B	Lot Width (min.)	-20% feet
C	Impervious Surface Coverage (max.)	+10 % of Base Zoning
Setback Modifications		
D	Front Yard (min.)	Unmodified
E	Front Yard (max.)	-10% of Base Zoning
F	Rear Yard (min.)	Unmodified
G	Side Yard (min.)	Unmodified
H	Corner Side Yard (min.)	Unmodified
Building Modifications		
I	Building Height (max.)	+10% of Base Zoning
J	Building Footprint (max.)	+10% of Base Zoning
Special Provisions		
- The C-CN Overlay shall be applied to all land within eight hundred twenty-five (825) feet of the right-of-way centerline of those rights-of-way so designated on the adopted zoning map. Properties partially within this overlay shall be subject to its standards if 51% or more of their area is within the bounds of the overlay. - Additional uses permitted within the C-CN Overlay are established in 26.02.040.B. Where the permissions of a use differ between a base zoning district and an Overlay, the permissions of the Overlay shall control.		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table 26.02.040.C. Use-Specific Regulations 26.04.010.B. Dimensional Regulations 26.04.010.C. Parking 26.04.010.D. Loading and Vehicle Stacking 26.04.010.E. Form Standards 26.04.010.F. Screening 26.04.010.G. Fencing 26.04.010.H. Outdoor Lighting 26.04.010.I. Refuse Management 26.04.010.J. Infill Development 26.04.010.K. Accessory Buildings 26.04.010.L. Performance Standards 26.04.020. Subdivision Development Standards 26.04.030. Urban Forestry and Landscape Chapter 26.05 Stormwater Drainage		

4. Neighborhood Character (O-NC) Overlay District

a. Purpose

The Neighborhood Character Overlay District exists to provide policy and regulatory means to maintain, preserve, and enhance historically significant and unique structures and areas within Edmond, and thereby support and protect the special or historic character of appropriate neighborhoods and districts.

b. Applicability

The Neighborhood Character Overlay District shall apply to areas, as outlined in the procedure described in **26.02.050.G**, and to the following development activities:

- (i) Newly permitted residential uses
 - (ii) Newly permitted commercial uses
 - (iii) Newly permitted public and civic uses
 - (iv) Newly permitted accessory buildings
 - (v) Any alterations to buildings and/or site features of existing residential, commercial, or public and civic uses that require a building permit, certificate of occupancy, and/or an approved Site Plan or Plat.
- c. Standards

Properties to which the Neighborhood Character Overlay District applies shall be subject to the following standards for alteration, reconstruction, and addition:

 - (i) Demolition of the primary structure shall be subject to the approval of the Edmond Design Review Board;
 - (ii) Replacement of 10% or more of the primary structure's exterior wall materials, and/or its fenestration, and/or its roof material shall be subject to the approval of the Edmond Design Review Board;
 - (iii) Removal or construction of any porches, stoops, balconies, terraces, or arcades larger than 50 square feet in area shall be subject to the approval of the Edmond Design Review Board;
 - (a) Alteration of any such structures to increase them to 50 square feet or more where they currently are smaller, or to reduce them to less than 50 square feet where they currently are larger, shall be subject to the approval of the Edmond Design Review Board;
 - (iv) Change of use shall be subject to the Specific Use Permit procedure established in **26.02.050.D**;
 - (v) Consolidating multiple lots is prohibited;
 - (vi) Any other standard governing the architectural design of buildings and the arrangement and composition of site improvements determined through negotiation between the neighborhood applicant and the Edmond Design Review Board. Said standards shall then be established in the written standards of the overlay.
- d. Neighborhood Character Overlay boundaries must create a contiguous overlay area.
- e. Overlays

Reserved.

5. Arcadia Lake Protection (O-LP) Overlay District

a. Purpose

- (i) The Arcadia Lake Protection (O-LP) Overlay District is established to accommodate the unique site demands and ecological conditions surrounding Arcadia Lake, intending to:
- (a) Optimize health, safety, and welfare outcomes;
 - (b) Capitalize on site conditions and development contexts favorable to Edmond's development goals and adopted plans and policy recommendations;
 - (c) Preserve and enhance unique and sensitive ecological systems and assets surrounding Arcadia Lake;
 - (d) Preserve and enhance remnants of the Cross Timbers forests; and
 - (e) Protect water quality in Arcadia Lake and the surrounding watersheds.

Lot Requirements		
A	Lot Area (min.)	3 acres
B	Lot Width (min.)	100 feet
C	Impervious Surface Coverage (max.)	20%
Setback Requirements		
D	Front Setback (min.)	40 feet
E	Rear Setback (min.)	30 feet
F	Side Setback (min.)	25 feet
G	Corner Side Setback (min.)	25 feet
Building Requirements		
H	Building Height (max.)	35 feet
I	Building Footprint (max.)	15,000 square feet
Special Requirements		
Conservation subdivision development may be approved as provided in Chapter 26.03 . Aerobic and any other on-site septic systems may not be used within this district, and connection to public sewer must occur prior to or concurrently with development as required by Chapter 26.03 , and all other manuals maintained by the City.		
Additional Applicable Requirements within the UDC		
26.02.040.B. Use Table 26.02.040.C. Use-Specific Regulations 26.04.010.B. Dimensional Regulations 26.04.010.C. Parking 26.04.010.D. Loading and Vehicle Stacking 26.04.010.E. Form Standards 26.04.010.F. Screening 26.04.010.G. Fencing 26.04.010.H. Outdoor Lighting 26.04.010.I. Refuse Management 26.04.010.J. Infill Development 26.04.010.K. Accessory Buildings 26.04.010.L. Performance Standards 26.04.020. Subdivision Development Standards 26.04.030. Urban Forestry and Landscape Chapter 26.05 Stormwater Drainage		

a. Supplemental Site Design Standards for Non-residential Development

(i) Landscape

- (a) Not less than 45% of the total site area, exclusive of public right-of-way, shall be landscaped with trees, ornamental shrubs, and grass areas compliant with the standards established in **26.04.030**.

- (b) At least 30 live plant units shall be planted and maintained for every 250 square feet of site area.
 - i. At least 25% of these plant units shall be evergreen.
 - ii. These plantings shall, in their quantities, types, and distribution, otherwise comply with the standards established in **26.04.030**.
- (c) Type C screening as described in **26.04.010.F.3.b** shall be installed along all property lines abutting residential uses.
- (ii) Alternative Compliance
 - (a) The landscape requirement in **26.04.030.D.1.b** may be reduced for each of the conditions described in Table 02-1: O-LP Alternative Compliance that are met or exceeded. However, in no event shall the percent of landscaped area be reduced by more than 5%.

Table 02-1: O-LP Alternative Compliance

Condition	Reduction in Landscape Area Requirement (Max.)
35% of required plant units consist of existing trees proposed for preservation	1.5%
Landscaped areas directly adjoin existing landscaped areas on adjacent properties	0.5%
Site has features that aid in noise abatement	1%
4.9% or less of the site area has had its natural topography altered	0.5%
Low-impact development techniques are designed to manage 85% or more of the 10-year stormwater flow volume	1.5%
Shared or regional detention facilities that serve two or more properties	0.5%

- b. Stormwater Quality Preservation
 - (i) Water quality shall be preserved in accordance with the provisions of **26.05.060**.
 - (ii) Development within the O-LP Overlay shall:
 - (a) Construct stormwater facilities designed to manage at least the first two inches of rainfall on the site using exclusively low-impact development techniques described in the City's adopted manuals.
 - (b) Stormwater facilities may be designed to bypass stormwater volume beyond the first two inches into conventional, grey infrastructure facilities or, provided flows would not cross property lines or into easements or rights-of-way unauthorized, into Arcadia Lake.

26.02.040. Permitted Uses and Use-Based Standards

A. Generally

1. Purpose and Applicability

Table 02-3: Use Table lists the uses permitted within all zoning districts. All uses are defined in **26.06.030**. Approval of a use listed in this Chapter, and compliance with the applicable use-specific standards for that use, authorizes that use only. Development or use of a property for any other use not specifically allowed in this Chapter and approved under the appropriate process is prohibited.

2. Organization

The uses allowed in each of the zoning districts established in **Table 02-3: Use Table** are defined as follows:

a. Table Symbolology

Table 02-3: Use Table is arranged according to the following symbols established in **Table 02-2: Use Table Symbolology**.

Table 02-2: Use Table Symbolology

Symbol	Meaning	Description
P	Permitted By-Right	A "P" in a zoning district column indicates that a use is permitted by right. These uses are subject to all other applicable regulations of this UDC.
L	Limited Use	An "L" in a zoning district column indicates that a use is permitted by right, provided that it meets any applicable use-specific regulations. These uses are subject to all other applicable regulations of this UDC.
S	Specific Use Permit	An "S" in a zoning district column indicates that a use requires a Specific Use Permit. See 26.02.050.D. Specific Use Permit for requirements.
	Not Permitted	A blank cell in a zoning district column indicates that a use is not permitted in the zoning district.
DU	Dwelling Unit	In the Parking Standards column, parking ratios may be expressed as "#/DU" meaning a certain number of spaces per dwelling unit.
BR	Bedroom	In the Parking Standards column, parking ratios may be expressed as "#/BR" meaning a certain number of spaces per bedroom.
SF	Square Feet	In the Parking Standards column, parking ratios may be expressed as "#/SF" meaning a certain number of spaces per a certain number of total square feet of the associated primary structure, or per a certain number of square footage otherwise specified.

b. Use-Specific Regulations Column

The "Use-Specific Regulations" column provides a reference to associated standards for certain uses allowed by right and for limited uses. Where a blank space is in the column,

there is no associated standard. Where there is information in the column, there are associated use-specific regulations.

c. Multiple Uses on a Site

- (i) When multiple uses are included on a single site, each individual use must be a permitted or limited use for the site's applicable zoning district. Limited uses must meet all Use-Specific Regulations. For example, if a Retail Store includes a Restaurant, both uses must be allowed; or if a Funeral Home includes a Crematorium, both uses must be allowed.
- (a) Exception: Customarily incidental or accessory uses (as determined by the Director of Planning) are included in the principal use. For example, if a Hospital includes a gift shop, a Retail Store use is not required; or if a Warehouse includes an office area, a Professional Office use is not required.
- (ii) Functional uses with a significant impact on a site's operation or character have been identified separately. If a noted functional use is included, both uses must be a permitted or limited use for the site's applicable zoning district. Limited uses must meet all Use-Specific Regulations. For example, if a Restaurant includes a Drive-Thru, both the Restaurant use and Drive-Thru functional use must be allowed.

d. Unlisted Uses

If a proposed use is not specifically listed in Table 02-3: Use Table, the Director of Planning shall determine whether the use is allowed or not allowed after the applicant provides a detailed summary of the proposed project, use(s), and their associated impacts as outlined in subsection i. This determination shall be based upon the similarity in nature, character, and impact to one or more uses that are listed in Table 02-3: Use Table; however, the applicant shall bear the burden of proof for providing the necessary information for the Director's determination.

- (i) In making this determination, the Director of Planning may consider whether the use has similar visual, traffic, environmental, parking, employment, and other impacts as an expressly listed use.
- (ii) The Director may also refer to empirical studies or generally accepted planning or engineering sources (e.g., North American Industry Classification System (NAICS)) in making this determination.
- (iii) If the Director determines that a proposed use does not fit within a given use type and is not functionally the same as an allowed, accessory, conditional, or temporary use, then the use is a prohibited use.
- (iv) The Director's determination may be appealed pursuant to **26.01.050.I.**

B. Use Table

1. Applicability

This Chapter shall follow the requirements established in **Table 02-3: Use Table**.

2. Use-Specific Standards

Use-specific standards are established in Chapter **26.02.040.C**.

3. Use Table

Uses are established in **Table 02-3: Use Table**.

Table 02-3: Use Table

Context Area →	R – Rural		S – Suburban					U – Urban			C – Corridor			O – Overlay		Additional Regulations	
District → P = Permitted L = Limited; permitted with use-specific regulations S = Specific Use Permit required Blank = Prohibited	AG – Agricultural Preservation	NH – Neighborhood	RE – Residential	NH – Neighborhood	LC – Local Commercial	RC – Regional Commercial	FI – Flex Industrial	CR – Core	TR – Transition	ED – Edge	IS – U.S. Interstate 35	RT – Route 66	CN – Core Network	LP – Lake Protection	NC – Neighborhood	Use-Specific Regulations	Parking Ratio
Residential Uses																	
Low-Density Living (1-3 Units)																	
Cottage Court				L	L				L	L		L	L			26.02.040.C.1.a	2/DU
Duplex	P	P	P	P					P	P				P			2/DU
Manufactured Home	L	L	L	L						L						26.02.040.C.1.b	2/DU
Mobile Home	L	L	L	L												26.02.040.C.1.c	2/DU
Modular Home	L	L	L	L												24.02.040.C.1.d	2/DU
Single-Family Dwelling	P	P	P	P						P	L			P		26.02.040.C.1.e	2/DU
Triplex				P	P				P	P							2/DU
High-Density Living (4+ Units)																	
Fourplex				P	P				P	P	P	P	P				2/DU
Multi-Family Dwelling				L	P	P		L	P	P	P	L	P			26.02.040.C.1.f	1.5/BR
Group Living																	
Convalescent/Rest or Nursing/Extended Care				L	P	P				P	P					26.02.040.C.1.g	1.5/BR
Rooming/Boarding House				L	L	L				L			L			26.02.040.C.1.h	.5/BR
Residential Functional Uses																	
Accessory Dwelling Unit	L	L	L	L				L	L	L		L		L		26.02.040.C.1.i	2/DU
Home Occupation	L	L	L	L				L	L	L						26.02.040.C.1.j	
In-Home Daycare	L	L	L	L				L	L	L	L	L	L			26.02.040.C.1.k	N/A
Public and Civic Uses																	

Chapter 26.02. Zoning Regulations

26.02.040. Permitted Uses and Use-Based Standards

City of Edmond

DRAFT Unified Development Code

Context Area →	R – Rural		S – Suburban					U – Urban			C – Corridor			O – Overlay		Additional Regulations	
District → P = Permitted L = Limited; permitted with use-specific regulations S = Specific Use Permit required Blank = Prohibited	AG – Agricultural Preservation	NH – Neighborhood	RE – Residential	NH – Neighborhood	LC – Local Commercial	RC – Regional Commercial	FI – Flex Industrial	CR – Core	TR – Transition	ED – Edge	IS – U.S. Interstate 35	RT – Route 66	CN – Core Network	LP – Lake Protection	NC – Neighborhood Character	Use-Specific Regulations	Parking Ratio
Community Service																	
Library/Museum		P	L	P	P	P		L	L	L	P	P	P	P		26.02.040.C.2.a	1/300 SF
Public Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P			1/300 SF
Educational Facilities																	
College/University	L	L	L	L	L			L	L		L		L			26.02.040.C.2.b	Requires Parking Study
School		L	L	L	L	L			L	L	L		L			26.02.040.C.2.c	Schools up to 9 th Grade: 2/ Classroom Schools 10 th Grade and up: 6/ Classroom
Technical School	L	L	L	L	L	L	L			L	L		L			26.02.040.C.2.d	1/500 SF
Medical Facilities																	
Clinic				P	P	P		P	P		P	P	P				1/500 SF
Hospital				L	P	P				P	L		L			26.02.040.C.2.e	1/300 SF
Parks and Open Spaces																	
Park	P	P	P	P	P	P		P	P	P	P	P	P	P			4/acre
After Life Care																	
Religious Land Use/ Place of Worship	P	P	P	P	P	P	P	L	L	P	P	L	P	L		26.02.040.C.2.f	1/500 SF Indoor Space 1/2,500 SF Outdoor Space
Cemetery	P	P	P	P	P	P	P										2/acre
Crematorium							L									26.02.040.C.2.g	1/1,500 SF
Funeral Services				L	P	P	P				P		P			26.02.040.C.2.h	1/500 SF
Public and Civic Functional Uses																	
Wireless Telecommunications	L	L	L	L	L	L	L	L	L	L	L	L	L				N/A
Commercial Uses																	
Care Facilities																	
Adult Care Center		L	L	L	L	L				L	L		L			26.02.040.C.3.a	1/300 SF
Child Care Facility		L	L	L	L			L	L	L						26.02.040.C.3.b	1/300 SF
Entertainment and Recreation																	

Context Area →	R – Rural		S – Suburban					U – Urban			C – Corridor			O – Overlay		Additional Regulations	
District → P = Permitted L = Limited; permitted with use-specific regulations S = Specific Use Permit required Blank = Prohibited	AG – Agricultural Preservation	NH – Neighborhood	RE – Residential	NH – Neighborhood	LC – Local Commercial	RC – Regional Commercial	FI – Flex Industrial	CR – Core	TR – Transition	ED – Edge	IS – U.S. Interstate 35	RT – Route 66	CN – Core Network	LP – Lake Protection	NC – Neighborhood Character	Use-Specific Regulations	Parking Ratio
Golf Course or Country Club	P	P	P	P	P	P					P	S	P				1/500 SF Indoor Space 6/ Golf Hole
Indoor Entertainment and Amusement Venue		P		P	P	P	P	P	P	P	P	P	P				1/500 SF
Outdoor Entertainment and Amusement Venue		S		S	S	S	S	S	S		S	S	S			26.02.040.C.3.c	1/500 SF
Indoor Shooting Range						L	L				L	L	L			26.02.040.C.3.d	2/ Shooting Lane
Office and Professional Services																	
Financial Institution		P		P	P	P	P	P	P	P	P	P	P				1/500 SF
Professional Office		P		P	P	P	P	P	P	P	P	P	P				1/500 SF
Recording/Production Studio		P		P	P	P	P	P	P	P	P	P	P				1/500 SF
Overnight Accommodation																	
Bed and Breakfast		L		L	L	L			L	L	L	L	L	L		26.02.040.C.3.e	2/ BR
Campground	L													L		26.02.040.C.3.f	2/ Site
Hotel		L		L	P	P		L	L		P	P	P	L		26.02.040.C.3.g	2/ Room
Recreational Vehicle Park	L	L										L		L		26.02.040.C.3.h	2/ RV Parking Space
Retail Sales and Service																	
Convenience Store		P		P	P	P	P	P	P	P	P	P	P	P			1/300 SF
Fitness Center		P		P	P	P	P	P	P	P	P		P				1/300 SF
Personal Services		P		P	P	P	P	P	P	P	P	P	P				1/300 SF
Massage Therapy		S		S	S	S	S	S	S	S	S	S	S			26.02.040.C.3.i	1/300 sf
Restaurant		L		L	L	L	L	L	L	L	L	P	L	L		26.02.040.C.3.j	1/200 SF
Retail Store		P		P	P	P	P	P	P	P	P	P	P	L			1/500 SF
Tavern/Bar		L		L	L	L	L	L	L	L	L	L	L	L		26.02.040.C.3.k	1/600 SF
Animal Services																	
Animal Boarding	P	P		L	L	P	P				L		L			26.02.040.C.3.l	1/500 SF
Animal Grooming or Veterinarian	P	P		L	P	P	P		P	P	P		P			26.02.040.C.3.l	1/500 SF
Vehicle/Equipment Sales/Service																	

Chapter 26.02. Zoning Regulations

26.02.040. Permitted Uses and Use-Based Standards

City of Edmond

DRAFT Unified Development Code

Context Area →	R – Rural		S – Suburban					U – Urban			C – Corridor			O – Overlay		Additional Regulations	
District → P = Permitted L = Limited; permitted with use-specific regulations S = Specific Use Permit required Blank = Prohibited	AG – Agricultural Preservation	NH – Neighborhood	RE – Residential	NH – Neighborhood	LC – Local Commercial	RC – Regional Commercial	FI – Flex Industrial	CR – Core	TR – Transition	ED – Edge	IS – U.S. Interstate 35	RT – Route 66	CN – Core Network	LP – Lake Protection	NC – Neighborhood Character	Use-Specific Regulations	Parking Ratio
Car Wash		L			L	L	L				L		L			26.02.040.C.3.m	1/1000 SF
Heavy Auto Repair		L				L	L									26.02.040.C.3.n	2/ Bay
Light Auto Repair		L			L	L	L				L		L			26.02.040.C.3.o	2/Bay
Vehicle And Equipment Sale and Rental	L	L			L	L	L						L			26.02.040.C.3.p	1/500 SF
Marijuana Uses																	
Medical Marijuana Waste Disposal Facility																	
All Other Marijuana-Related Uses	L	L	L	L	L	L	L	L	L	L	L	L	L			26.02.040.C.3.q	1/600 SF
Commercial Functional Uses																	
Alcohol Sales	L	L	L	L	L	L	L	L	L	L	L	L	L			26.02.040.C.3.r	N/A
Drive-In					L	L	L				L	L	L			26.02.040.C.3.s	N/A
Drive-Thru					L	L	L				L	L	L			26.02.040.C.3.t	N/A
Fuel					L	L	L				L	L	L			26.02.040.C.3.u	N/A
Outdoor Storage/Sales						L	L									26.02.040.C.3.v	N/A
Industrial Uses																	
Light Industrial Services																	
Freight Terminal							L				L					26.02.040.C.4.a	1/1000 SF
Data Center							S									26.02.040.C.4.b	
Low-Intensity Industrial and Manufacturing							L				L					26.02.040.C.4.c	1/1000 SF
Self-Storage Facility							L									26.02.040.C.4.d	1/1000 SF
Warehouse							L				L					26.02.040.C.4.e	1/1000 SF
Artisan Industry																	
High-Intensity Artisan Manufacturing		L					P				L	L	L			26.02.040.C.4.f	1/500 SF
Low-Intensity Artisan Manufacturing		L					L	L	L		L	L	L	L		26.02.040.C.4.g	1/500 SF
Heavy Industrial Uses																	
High-Intensity Industrial and Manufacturing							S									26.02.040.C.4.h	1/1000 SF

Context Area →	R – Rural		S – Suburban					U – Urban			C – Corridor			O – Overlay		Additional Regulations	
District → P = Permitted L = Limited; permitted with use-specific regulations S = Specific Use Permit required Blank = Prohibited	AG – Agricultural Preservation	NH – Neighborhood	RE – Residential	NH – Neighborhood	LC – Local Commercial	RC – Regional Commercial	FI – Flex Industrial	CR – Core	TR – Transition	ED – Edge	IS – U.S. Interstate 35	RT – Route 66	CN – Core Network	LP – Lake Protection	NC – Neighborhood Character	Use-Specific Regulations	Parking Ratio
Nuclear Power Plant																	
Salvage Yard							L									26.02.040.C.4.i	1/1000 SF
Waste/Recycling Center							P										1/1000 SF
Agricultural Operations	P	P					P										N/A
Agritainment	P	P					P							P			1/1000 SF
Commercial Stable	P	P					P										1/ Stall
Feed and Farm Supply	P	P				P	P										1/500 SF
Feedlot	P	P					P										N/A
Sale Barn	P	P					P										N/A
Small Farm Winery	P	P					P										N/A

C. Use-Specific Regulations**1. Residential Uses****a. Cottage Court**

- (i) In all districts where permitted:
 - (a) Each dwelling unit may be on a separate platted lot.
 - (b) The common area must be a separate platted lot, owned and maintained by a homeowners'/ property owners' association.
 - (c) Front façades of other dwellings and entrances must be oriented to the common area. Frontage on the common area is considered to meet the requirement for frontage on a public or private street.
 - (d) The zoning district standards apply to each individual dwelling within the cottage court with the following exceptions:
 - i. Dwellings shall have a maximum building height of thirty-five (35) feet.
 - ii. The minimum front setback from adjacent public or private right-of-way required is ten (10) feet.
 - iii. The minimum interior side setback required is five (5) feet.
 - (e) Common areas must meet the following standards:
 - i. The minimum area of the common area is 2,000 square feet or 500 square feet per dwelling unit, whichever is greater.
 - ii. At no point shall the required common area be narrower than twelve (12) feet across.
 - iii. Of the required amount of common area space, 75% must be the centrally located common space around which dwellings are arranged and onto which they front.
 - iv. All common area space must be accessible to all residents.
 - v. Private yards associated with dwellings are not counted toward the required amount of common area.
 - vi. Parking shall be arranged at the rear of structures and away from the central common area.

b. Manufactured Home

- (i) In all districts where permitted:
 - (a) A Manufactured Home shall meet or exceed all building code requirements that apply to other dwelling units concerning on-site construction.
 - (b) A Manufactured Home shall conform to all applicable zoning regulations for its respective zoning district.
 - (c) A Manufactured Home shall have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the dwelling is proposed to be located.
 - (d) A Manufactured Home shall comply with municipal aesthetic standards, setbacks, subdivision control, landscaping, square footage, and other site requirements applicable to single-family dwellings.
 - (e) A Manufactured Home shall be securely fixed to a permanent foundation.
 - (f) A Manufactured Home shall be set on a solid slab structure and/or 18- to 20-inch runners.

- c. Mobile Home
 - (i) Mobile Homes shall be maintained according to the standards of Manufactured Homes as established in **26.02.040.C.1.b.**
- d. Modular Home
 - (i) A Modular Home shall meet or exceed all building code requirements that apply to other dwelling units concerning on-site construction.
 - (ii) A Modular Home shall conform to all applicable zoning regulations for its respective zoning district.
 - (iii) A Modular Home shall comply with all site and other requirements applicable to single family dwellings established in **Chapter 26.04.**
 - (iv) A Modular Home shall be securely fixed to a permanent foundation.
- e. **Single-Family Dwelling**
 - (i) Generally:
 - (a) If the single-family structures are townhomes, the minimum lot width shall be 22 feet, regardless of any minimum lot width otherwise established by the zoning district in which they are sited.
 - (b) If the single-family structures have zero/no side yard setbacks (i.e., patio homes), easements are required to allow all property owners access for maintenance purposes.
 - (ii) In the C-IS overlay:
 - (a) Townhomes are the only type of single-family residential allowed in this district.
- f. Multi-Family Dwelling
 - (i) In the S-NH district:
 - (a) A Multi-Family Dwelling may not consist of more than 12 units.
- g. Convalescent/Rest or Nursing/Extended Care
 - (i) In an S-NH district:
 - (a) The use must have access to a collector or higher classification roadway.
 - (b) Facilities shall accommodate no more than 50 residents/patients.
- h. Rooming/Boarding House
 - (i) In all districts where permitted:
 - (a) Any Rooming/Boarding House proposing more than 12 bedrooms shall require discretionary review to ensure sufficient mitigation of adverse impacts on adjacent properties.
- i. **Accessory Dwelling Unit**
 - (i) In all districts where permitted:
 - (a) An Accessory Dwelling Unit shall only be located on a lot with a single-family detached home as the principal dwelling unit.
 - (b) An Accessory Dwelling Unit shall be located behind the rear elevation of the principal dwelling unit except as provided elsewhere within this UDC.
 - (c) An Accessory Dwelling Unit shall not exceed 50% of the square footage of the principal dwelling unit, or 1,200 square feet, whichever is less.
 - (d) Where the square footage of the principal dwelling unit is 800 square feet or fewer, an Accessory Dwelling Unit may be equal to up to 100% of the square footage of the principal dwelling unit.

- (e) No more than one Accessory Dwelling Unit shall be permitted on a lot.
 - (f) No more than one family unit shall occupy an Accessory Dwelling Unit at a time.
 - (g) Accessory Dwelling Units must meet the height and setback requirements established by the zoning district for the principal dwelling.
 - (h) An Accessory Dwelling Unit shall not result in a lot's cumulative impervious surface coverage exceeding the maximum allowed in its zoning district.
 - (i) Accessory Dwelling Units may be rented or occupied by a guest but shall not be sold separately from the principal dwelling.
 - (j) Accessory Dwelling Units may have separate utility meters and/or accounts from the principal dwelling.
 - (k) Accessory Dwelling Units shall have an assigned address separate from the principal dwelling.
 - (l) If an Accessory Dwelling Unit is to be constructed on a lot prior to the construction of a principal dwelling unit, required plans for the principal dwelling unit must be submitted and approved contemporaneously with those for the Accessory Dwelling Unit.
- j. Home Occupation
 - (i) In all districts where permitted:
 - (a) The occupation shall be conducted entirely within a dwelling or integral part thereof and have no outside storage of any kind related to the home occupation;
 - (b) The occupation shall be clearly incidental and secondary to the principal use of the dwelling; not more than 30 percent of the square footage of the dwelling area shall be used in the conduct of the Home Occupation(s);
 - i. Where a dwelling consists of multiple stories, the Home Occupation may comprise one entire story, provided no Home Occupation activities occur on another story or elsewhere on the property.
 - (c) Business shall be conducted only by persons residing on the premises;
 - (d) The occupation shall not affect the residential character of the dwelling nor cause the dwelling to be extended;
 - (e) One non-illuminated identification sign is permitted, provided the sign is physically attached to the exterior wall of the dwelling;
 - (f) Delivery of materials to and from the premises shall not involve the use of vehicles over two-ton capacity or with more than two axles or trailers with more than one axle, except U.S. Postal Service, United Parcel Service, or similar delivery trucks;
 - (g) The occupation shall not create disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, unhealthy or unsightly condition, traffic, or parking problems;
 - (h) The occupation shall not result in the off-street or on-street parking of more than two nonresident vehicles at any one time; and
 - (i) The occupation shall not involve on-site retail sales.
 - (ii) Exclusions to Home Occupations.
 - (a) No home occupation with the following characteristics shall be permitted.
 - i. Internal or external alterations that are inconsistent with the residential use of the building.

- ii. Evidence of the occupation (other than the home occupation sign permitted in **26.02.040.C.1.j(i)(e) above**) is visible from the public right-of-way or adjacent properties.
 - iii. The occupation generates traffic, parking, sewerage, or water use in excess of what is normal in the residential neighborhood.
 - iv. The occupation creates a hazard to persons or property;
 - v. The occupation results in electrical interference;
 - vi. The occupation is a nuisance; or
 - vii. The occupation results in outdoor storage or display visible to the public.
 - (b) The following uses shall not be permitted as home occupations.
 - i. Salon, spa, or barber shop with more than one chair; or
 - ii. Auto and vehicle repair, due to oil, grease, and material discharge.
 - k. In-Home Daycare
 - (i) In all districts where permitted:
 - (a) All In-Home Daycares must meet all Oklahoma Department of Human Services licensing and registration requirements.
2. Public and Civic Uses
- a. Library/Museum
 - (i) In an S-RE district:
 - (a) The use must have access to a collector or higher classification roadway.
 - (b) The enclosed building area of an individual structure shall not exceed 15,000 square feet.
 - (ii) In the Urban Context:
 - (a) A Library/Museum shall prepare a parking study demonstrating what proportion of any required parking is fulfilled by on-street parking facilities within 750 feet of the property line; proposed parking facilities shall reflect the findings of this study by reducing off-street parking area accordingly.
 - b. College/University
 - (i) In all districts where permitted:
 - (a) The use must have access to an arterial classification roadway.
 - (b) The use must be connected to existing or concurrently constructed public utilities, including water, sanitary sewer, and storm sewer.
 - c. School
 - (i) In all districts where permitted:
 - (a) A traffic study is required to evaluate the impacts of additional traffic generated by drop-off and pick-up. Appropriate mitigation must be provided as determined by the Director of Planning and the Director of Engineering.
 - (b) The use must be connected to existing or concurrently constructed public utilities, including water, sanitary sewer, storm sewer, and electric.
 - (c) The use must be connected to existing or concurrently constructed pedestrian and bicycle facilities, enabling safe and convenient access to residential uses.
 - (d) Within or immediately abutting an S-RE district, designated play areas must be screened by a masonry wall with trees meeting the minimum requirements for Type B screening (see **26.04.010.F.3.b**).

- (ii) In the Urban Context:
 - (a) A School shall prepare a parking study demonstrating what proportion of any required parking is fulfilled by on-street parking facilities within 750 feet of the property line; proposed parking facilities shall reflect the findings of this study by reducing off-street parking area accordingly.
- d. Technical School
 - (i) In all districts where permitted:
 - (a) The use must have access to a collector or higher classification roadway.
 - (b) Any outdoor education activities must be screened from an adjacent or immediately abutting S-RE district with Type A screening or greater (see **26.04.010.F.3.b**).
- e. **Hospital**
 - (i) In all districts where permitted:
 - (a) The use must have access to a minor arterial or higher classification roadway.
 - (ii) In the Corridor Overlay:
 - (a) Any ground-floor Retail Sales and Services uses, such as pharmacies, restaurants, fitness centers, and gift shops, shall be open and accessible to the public. Said uses shall provide fenestration of doors and windows enabling direct access from outside the Hospital, and may provide outdoor dining or similar facilities.
- f. Religious Land Use/ Place of Worship
 - (i) In the Urban Context:
 - (a) A Religious Land Use/Place of Worship shall prepare a parking study demonstrating what proportion of any required parking is fulfilled by on-street parking facilities within 750 feet of the property line; proposed parking facilities shall reflect the findings of this study by reducing off-street parking area accordingly.
- g. **Crematorium**
 - (i) In all districts where permitted:
 - (a) No point on a Crematorium's property lines shall be fewer than 500 feet from any S-RE district.
 - (b) The use shall install Type B or Type A screening on all sides of the property/site, including along the adjacent public and/or private rights of way, according to Section **26.04.010.F**.
- h. **Funeral Services**
 - (i) In the S-NH district:
 - (a) Queuing areas for funeral services must be screened by a masonry wall with trees meeting the minimum requirements for Type B screening (see **26.04.010.F.3.b**).
- i. Wireless Telecommunications
 - (i) In all districts where permitted:
 - (a) Communication towers, including but not limited to, television transmission systems, radio transmission systems (except amateur radio services), and public or private telephone (cellular, pcs, or digital) transmission systems, which may be regulated by the State Corporation Commission and/or the Federal Communications Commission or any other state or federal regulatory agency.
 - (b) Location

- i. To be eligible for a special use permit for the construction of a communication tower, a site must be located on property that is:
 - (1) Classified as a non-residential zoning district; or
 - (2) In a residential district where there are no residential uses with a property line within 300 feet of the base of the tower; or
 - (3) Owned by the City.
- (c) Height
 - i. Communication towers shall be subject to all height limitations related to airport environs and flight safety; plus the following zoning district standards, whichever are the most restrictive:
 - (1) Rural Contexts: Maximum height is subject to spacing and height requirements of this UDC.
 - (2) Suburban Contexts: Maximum height of 150 feet.
- (d) Spacing
 - i. A site for a new communication tower taller than 80 feet in height shall be located a minimum distance of 0.5 miles from another communication tower, including towers located outside the corporate limits of the City.
 - ii. A site for a new communication tower that exceeds 35 feet in height shall be located a minimum distance of 0.25 miles from another telecommunications tower, including towers located outside the corporate limits of the City.
- (e) Screening and Landscaping
 - i. All facilities must be screened in accordance with a Type B screen type as defined in **26.04.010.F** installed around the tower site with access through a locked gate.
- (f) All tower sites shall be landscaped to minimize their visual impact. The special use permit review process shall include a Planning Commission recommendation and City Council determination that the landscaping plan is appropriate for the site. The use shall meet all landscaping requirements for the underlying zoning district.
- (g) Design
 - i. Co-location
 - (1) All such communication towers for commercial services shall be co-location towers, provided that the use occurs on a single existing structure.
 - (2) An applicant for a special use permit for a new tower shall provide evidence of a good faith effort to negotiate the location of this communication device on an existing tower or eligible structure and evidence that all such possibilities have been exhausted.
 - ii. Freestanding towers shall:
 - (1) Be located in unplatted areas only in the R-AG and R-NH zoning districts and be platted in accordance with the provisions of this UDC;
 - (2) Be approved for a Specific Use Permit by the Planning Commission and City Council in accordance with **26.02.050.D**;
 - (3) Be a monopole design designed and constructed in a manner which will, to the extent practical, preclude unauthorized climbing of said structure;
 - (4) Be subject to the International Building Code, as adopted and amended by the City (except emergency services);

- (5) Not be artificially lit except as required by the Federal Aviation Administration (FAA);
 - (6) Have setbacks, which include buildings, from the street right-of-way with any yard not less than the applicable zoning district (except emergency services);
 - (7) Have setbacks, which include buildings and structures, from residential buildings of at least 300 feet (except emergency services); and
 - (8) Have setbacks (which include buildings and structures) from public buildings of at least 600 feet (except emergency services).
 - iii. All towers shall have limited access to a ladder for safety purposes and be designed to applicable engineering standards.
 - iv. Height limitations may be modified by the Planning Commission and City Council pursuant to the Special Use Permit process, provided additional minimum setback requirements of one foot for every 10 feet of height on all sides are met.
 - v. Appropriate signs shall be posted at all communication sites requiring security fencing to indicate that trespassing and/or vandalism to the property may be punishable under local, state or federal statutes.
 - vi. No commercial advertising or signage shall be allowed on any tower.
- (ii) Maintenance, Repair, or Modification of Existing Towers
 - (a) All towers constructed or under construction before the effective date of the UDC may continue in existence as a nonconforming structure and may be maintained or repaired without complying with any of the requirements of this UDC.
 - (b) Nonconforming structures or uses shall not be enlarged, or the degree of nonconformance increased, without complying with this UDC, including applying for and obtaining a special use permit for a tower.
 - (c) Any modification or reconstruction of a tower constructed or under construction after the effective date of the UDC shall require compliance with the requirements of this UDC, including applying for and obtaining a special use permit for a tower. That application shall describe and specify all items that do not comply with this UDC and may request, subject to City approval, an exemption from compliance as a condition of the permit.
- (iii) Inspection, Removal, and Identification
 - (a) The tower owner shall inspect the tower at least once every 36 months for compliance with all applicable Federal Communications Commission and Federal Aviation Administration regulations and provide a summary report to the Director of Planning.
 - (b) Compliance records shall be kept by the owners of all communication devices, except residential accessory antennas, and made available upon request to the Director of Planning during regular business hours.
 - (c) Any notice of violation shall be provided to the City Manager within seven days of receipt by the tower owner;
 - (d) The City may, at its discretion or by complaint, inspect any communications device within its jurisdiction; require an inspection if there is visible damage to a tower or antenna that appears to be significant; or, when an inspection has been conducted, significant questions remain about the structural integrity of the tower or antenna;

- (e) Removal of structurally unsafe or unused towers and antennas;
 - (f) Failure to maintain and operate a tower or antenna in compliance with all rules and regulations of local, state, and federal jurisdictions shall be grounds for the declaration of the structure as a nuisance by the City.
- (iv) Abandonment
 - (a) If any tower ceases to be used for a period of 12 months, the City shall notify the tower owner that the site will be subject to a determination by the Director that the site has been abandoned. Upon issuance of a notice by the Director, the tower owner shall have 30 days to show by a preponderance of evidence that the tower has been in use or under repair during the period of apparent abandonment. If the tower owner fails to show that the tower was in use or under repair during the relevant period, the Director shall issue a final determination of abandonment of the site, and the tower owner shall have 75 days thereafter to dismantle and move the tower. In the event the tower is not dismantled and removed, the tower shall be declared a public nuisance by the Director, and a written request shall be directed to the City Attorney to proceed to abate the public nuisance pursuant to the Edmond City Code, and charge the costs against the property on which the tower is located or the owner of record of that property.
- (v) Non-Commercial Telecommunications
 - (a) The following communication devices do not require a special use permit and may be installed if they meet all below requirements; provided that a building permit shall be required when there are structural modifications required for the installation of the device.
 - (b) These are intended solely for the non-commercial use of a residential property owner, including, but not necessarily limited to, a monopole, dish antenna two meters or less in diameter, and whip antenna. These devices shall be considered as accessory uses subject to plat and deed restrictions and the following requirements:
 - i. Height
 - (1) Freestanding monopole or whip antenna: the height limit of the zoning district or the plat restrictions, whichever is the lesser; and
 - (2) Building-mounted whip or dish antenna: the height limit of the zoning district or the plat restrictions, whichever is the lesser.
 - ii. Setbacks

The communication device, and any guy-wires, shall be located within the buildable area of the lot as follows:

 - (1) No communication device shall be located in front of the main building; and
 - (2) No communication device shall be located within the required front, side or rear yard setbacks and no closer than five feet to any property line, whichever is greater.
 - iii. Building Permit
 - (1) Installation of a monopole and any at-grade antenna on a residential lot shall require a building permit.
 - (2) Whip and non-whip antennas attached to a building shall not require a building permit unless there is a structural modification or alteration making the installation subject to building code requirements.

- iv. Additional Devices
 - (1) No more than one such device shall be permitted on a residential property by right. Additional devices shall require application and public hearing procedures for a special permit.
- 3. Commercial Uses
 - a. **Adult Care Center**
 - (i) In all districts where permitted:
 - (a) The use may operate as a day-service or as a residential facility, but shall not conduct non-emergency patient intake or release between 10:00 PM and 6:00 AM.
 - (b) The use shall not accept visitors between 10:00 PM and 6:00 AM.
 - b. **Child Care Facility**
 - (i) Any Child Care Facility shall be compliant with the Oklahoma Child Care Facilities Licensing Act, as amended, and all other State requirements for operation of such a use.
 - c. **Outdoor Entertainment and Amusement Venue**
 - (i) Any Outdoor Entertainment and Amusement Venue shall be located 500 feet from an S-RE district.
 - (ii) Any Outdoor Entertainment and Amusement Venue shall close by 10:00 p.m.
 - d. **Indoor Shooting Range**
 - (i) In all districts where permitted:
 - (a) An Indoor Shooting Range shall meet all Federal and State regulations regulating firearms and any associated facilities.
 - (b) An Indoor Shooting Range shall only be allowed in an enclosed building.
 - (c) An Indoor Shooting Range shall be located:
 - i. At least 500 feet from any use established in the Public and Civic use category unless the Shooting Range is exclusively for training government or US military personnel, as measured from the nearest points on each property line.
 - ii. At least 1,000 feet from any residential use as measured from the nearest points on each property line.
 - (d) Shooting lanes shall be designed in an orientation where projectiles are fired away from public roadways.
 - (e) Target backstops shall conform to the standards for indoor ranges per the Environmental Protection Agency (EPA).
 - e. **Bed and Breakfast**
 - (i) In all districts where permitted:
 - (a) A Bed and Breakfast shall be owner-occupied, with a maximum of four outside employees permitted on-site to help operate the business.
 - (b) A Bed and Breakfast may only serve meals to its guests.
 - (c) A maximum of five bedrooms may be available for rent
 - (d) There shall be no individual cooking facilities for guests; microwaves and small refrigerators are permitted.
 - f. **Campground**
 - (i) In all districts where permitted:
 - (a) All campgrounds and facilities must meet the requirements of Okla. Admin. Code §

800:30-1-4 – Camping.

g. Hotel

- (i) In the S-NH district:
 - (a) The use must have access to a collector or higher classification roadway.
- (ii) In the Urban Context Area:
 - (a) The use shall construct any provided off-street parking as structured or subterranean parking. Surface parking lots are prohibited.
 - (b) The Hotel shall provide on the ground floor one or more of the following:
 - i. Publicly accessible Retail Sales uses such as, but not limited to, clothing stores, book stores, art galleries, shoe stores, gift shops, etc.
 - ii. Publicly accessible Personal Service uses such as, but not limited to, portrait/photographic, hair/nail salons, tailors, shoe repair, etc.
 - iii. A publicly accessible Restaurant or cafe.
 - iv. A publicly accessible Tavern/Bar.
 - (c) The design of fenestration, ingress, signage, and outdoor accommodations for patrons of these uses shall engage with and activate the street and enhance the pedestrian experience.

h. Recreational Vehicle Park

- (i) In all districts where permitted:
 - (a) The site shall not abut or be within 300 feet of a Suburban-Residential (S-RE) District as measured from the nearest points on each property line.
 - (b) The maximum density allowed shall be 10 recreational vehicle spaces per acre.
 - (c) Landscaped open space shall be provided in the ratio of at least 400 square feet per recreational vehicle.
 - (d) The space for each recreational vehicle shall be provided with a permanent all-weather surface.
 - (e) Temporary accommodations for a transient unit, such as a recreational vehicle or camper, shall be defined as no more than 30 calendar days.
 - (f) Each recreational vehicle space shall provide electrical, water, and sewer connections (i.e., Full Hookup). So-called 'dry camping' is prohibited.

i. Massage Therapy

- (i) In all districts where not expressly prohibited:
 - (a) Massage Therapy shall require a Specific Use Permit.
 - (b) Licenses, in compliance with 26.06.030.C, must be clearly posted for viewing at customer entrances.
 - (c) Windows, including entrance doors, facing rights-of-way are prohibited from having an opaque tint or in any way inhibiting visibility from the right-of-way into the structure.
 - (d) The Specific Use Permit may include provisions regulating hours of operation.

j. Massage Therapy

Any establishment engaged in the skillful treatment of the soft tissues of the human body. Massage is designed to promote general relaxation, improve movement, relieve somatic and muscular pain or dysfunction, stress and muscle tension, provide for general health enhancement, personal growth, education and the organization, balance and integration of

the human body and includes but is not limited to: The use of touch, pressure, friction, stroking, gliding, percussion, kneading, movement, positioning, holding, range of motion and nonspecific stretching within the normal anatomical range of movement, and vibration by manual or mechanical means with or without the use of massage devices that mimic or enhance manual measures; and the external application of ice, heat and cold packs for thermal therapy, water, lubricants, abrasives and external application of herbal or topical preparations not classified as prescription drugs.

k. Restaurant

(i) In all districts where permitted:

- (a) Accessory outdoor customer seating/dining areas are allowed if they meet the applicable district's dimensional standards.

l. Tavern/Bar

(i) In all districts where permitted:

- (a) Accessory outdoor customer seating/dining areas are allowed if they meet the applicable district's dimensional standards.

m. Animal Boarding

(i) In all districts where permitted:

- (a) Outside runs, play or exercise areas, or other outdoor animal pens shall not be located within 100 feet of an S-RE District as measured from the nearest points of each property line.
- (b) Animals may only be outdoors with an attendant present on the premises.
- (c) Where animals are unrestrained, a minimum 6-foot fence or wall shall be used to contain animals on-site.

n. Car Wash

(i) In all districts where permitted:

- (a) A Car Wash shall be located at least 150 feet from an S-RE District as measured from the nearest points of each property line.
- (b) Any outdoor speaker system associated with the car wash shall comply with the noise regulations outlined in **26.04.010.L**.
- (c) All vehicle stacking shall occur on-site.

o. Heavy Auto Repair

(i) In all districts where permitted:

- (a) A Heavy Auto Repair use shall be located at least 500 feet from the S-RE, S-NH, U-CR, U-TR, or U-ED Districts as measured from the nearest points on each property line.

p. Light Auto Repair

(i) In all districts where permitted:

- (a) All Light Auto Repair activities shall take place within an enclosed space.
- (b) A Light Auto Repair use shall be located at least 150 feet from an S-RE District.
- (c) A minimum of 1 off-street parking space shall be provided for each vehicle service bay, space or station. A maximum of 2 off-street parking spaces shall be provided for each vehicle service bay, space or station.

q. Vehicle And Equipment Sale and Rental

(i) In all districts where permitted:

- (a) A Vehicle or Equipment Sales and/or Rental use shall be located at least 500 feet from the S-RE, S-NH, U-CR, U-TR, or U-ED Districts as measured from the nearest points on each property line.

r. All Other Marijuana-Related Uses

- (i) In all districts where permitted:
 - (a) Such uses shall be reviewed and approved in accordance with Oklahoma Statutes Title 63. Public Health and Safety.
 - (b) Any use not clearly outlined here shall be determined by the director as outlined in 26.02.040.A.2.d.
 - (c) Dispensary operations shall be permitted as Retail.
 - (d) Growing Operations are permitted within the Rural – Agricultural Preservation (R-AP) district with a Specific Use permit.
 - i. Said permit shall:
 - (1) Exempt the use from landscaping and parking requirements,
 - (2) Include a separation requirement of 300 ft from any residential dwelling unit and 100 feet from any property line.
 - (e) Processing, Research Facilities, and Testing Labs shall be permitted as Low-Intensity Industrial and Manufacturing.

s. Alcohol Sales

- (i) In all districts where permitted:
 - (a) Alcohol Sales shall comply with Oklahoma State Statutes and ABLE Commission requirements for licensure, hours of operation, separation from other land uses, and all other applicable development standards.

t. Drive-In

- (i) In all districts where permitted:
 - (a) Drive-Ins with service speakers shall not be permitted within 150 feet of an S-RE or S-NH District, measured from the nearest points on each property line, unless the speaker is appropriately screened with sound abatement materials.

u. Drive-Thru

- (i) In all districts where permitted:
 - (a) Drive-Thrus with service speakers shall not be permitted within 150 feet of an S-RE District, measured from the nearest points on each property line, unless the speaker is appropriately screened with sound abatement materials.

v. Fuel

- (i) In all districts where permitted:
 - (a) Fuel Pumps are permitted at a maximum of two corners of any intersection. The properties abutting the third and/or fourth corners of any intersection may construct Fuel Pumps provided that they are oriented away from the intersection, and that the principal building frontage instead faces the intersection.
 - (b) Fuel Pumps shall be located at least 250 feet from an S-RE or S-NH District, measured from the nearest points on each property line.
 - (c) Fuel Pumps do not have to meet the spacing requirement if a major or minor arterial separates the Fuel Pumps from an S-RE District.

w. Outdoor Storage

- (i) In all districts where permitted:

- (a) Outdoor storage areas must be screened with a Type B screening in accordance with **26.04.010.F.3.b.**
 - (ii) In the S-FI district:
 - (a) Outdoor storage areas must be screened with a Type A screening in accordance with **26.04.010.F.3.b.**
- 4. Industrial Uses
 - a. Freight Terminal
 - (i) In all districts where permitted:
 - (a) The use must have access to a minor arterial or higher classification roadway. Entrances used for semi-trucks shall not have direct access to a local street.
 - (b) Loading/unloading and any outside storage areas must be screened in accordance with **26.04.010.F.3.b.**
 - (c) Within 100 feet of an S-RE district, measured from the nearest points on each property line, no building may exceed 45 feet in height.
 - b. Data Centers
 - (i) In all districts where permitted:
 - (a) Data Centers shall enter into an agreement with the City detailing, at a minimum, the following:
 - i. The Data Center shall comply with all mandatory curtailment orders issued by the City or applicable utility provider during declared drought conditions or electric grid emergencies.
 - ii. A limit on daily water use.
 - iii. Any increase in approved peak electrical load beyond the level established at initial approval shall require amendment of the approved site plan and utility capacity review.
 - iv. The Data Center use shall be responsible for upgrades to grid capacity, water systems, and wastewater infrastructure related to the expansion of any Data Center.
 - v. The City retains all rights to a transparent process, including the ability to publicly report:
 - (1) Water, energy, and emissions data;
 - (2) The ramp schedule for the Data Center coming fully online;
 - (3) Expectations and potential impacts for water, wastewater, energy, and environmental systems;
 - (4) Any potential community cost-sharing agreements.
 - vi. A requirement for financial assurance in the event of decommission of the site.
 - (b) The agreement shall be executed prior to the issuance of a certificate of occupancy.
 - (c) Data Centers shall provide a management plan detailing, at a minimum, the following information:
 - i. Water Use, Drought, and Long-Term Security
 - (1) What water sources will be used;
 - (2) If a closed-loop system is proposed, the frequency of water withdrawal, and

- (3) Estimated water use efficiency (WUE), which shall be an annual average of 1.8 or lower.
 - ii. Cooling Systems and Wastewater
 - (1) What cooling technology is proposed;
 - (2) What source water quality parameters are required for the cooling system;
 - (3) What chemicals, if any, will be used in the cooling system;
 - (4) How treated water will be disposed;
 - (5) How waste heat is recovered; and
 - (6) How cooling performance will be maintained during extreme heat events.
 - iii. Electrical Demand and Grid Reliability
 - (1) How power will be delivered to the site;
 - (2) Expected load factors, both average and peak demand;
 - (3) Estimated power usage efficiency (PUE), which shall be an annual average of 1.55 or lower; and
 - (4) An uninterruptible power supply (UPS) plan describing: Fuel types, storage capacity, refueling logistics during extended outages, the ability to handle a critical load and have generators on within 15 seconds, and the ability to supply power meeting 99.995% uptime, with a 20% safety margin.
 - iv. Decommissioning, Abandonment, and Liability
 - (1) The expected operational lifespan of the Data Center;
 - (2) The plan for decommissioning the facility, including site cleanup and e-waste disposal.
 - v. Reporting
 - (1) Annual reports shall be provided to the City, which shall detail: Water, wastewater, and energy data, including WUE, PUE, total usage, and any measures taken during times of drought or grid emergencies; and emissions reports for the facility and any back-up power sources.
- (d) Reclaimed water or treated wastewater shall be used as a water source, unless this requirement would place an undue burden on the project.
- (e) Incentives
 - i. Data Centers shall not qualify for bonuses or incentives established within this UDC.
 - (1) High-performance centers, meeting an average annual WUE of less than 1 or an average annual PUE of less than 1.1, shall be exempt from this provision.
- (f) Data Centers shall provide on-site power back-up capable of supporting the site autonomously for a minimum of 24 hours.
 - i. Back-up generators shall be shielded from view and enclosed with sound attenuation walls, which may be no taller than the maximum height allowed by the underlying zoning district.
- (g) If a Data Center use is discontinued for a period of 12 months or more:
 - i. A new Data Center use at the location shall not be permitted.
 - ii. The property owner shall maintain the property in good repair and remediate the property.

- (h) Expansions to existing data centers shall not be approved administratively.
- c. Low-Intensity Industrial and Manufacturing
 - (i) In all districts where permitted:
 - (a) No noise, dust, odor, vibrations, glare, or other nuisances may be generated outside of an enclosed building.
 - (b) All business operations (excluding outside storage as noted in **26.02.040.C.4.c(i)(c) below**) must be located in an enclosed building.
 - (c) Loading/unloading and any outside storage areas must be screened in accordance with **26.04.010.F.3.b.**
- d. Self-Storage Facility
 - (i) In all districts where permitted:
 - (a) Where a Self-Storage Facility is constructed as a single building in which all storage units are enclosed, the building shall not exceed 50,000 square feet.
 - (b) Where a Self-Storage Facility is constructed as one or more buildings in which storage units open directly to the outdoors, the total size of the facility, including structures, drive aisles, parking, and landscaped areas, shall not exceed 50,000 square feet.
 - (c) No self-storage shall have frontage on, or be visible from, any arterial streets.
 - (d) Self-Storage Facility units shall be used solely for the purpose of storage of goods and possessions and shall not be used for the operation of a business, hobby, band rehearsal, or any type of activity not related to the storage of personal property of the owner or tenant of the unit. A Self-Storage Facility unit shall not be used for the storage of explosives, ammunition, or hazardous or flammable materials.
 - (e) No outdoor storage is permitted.
 - (f) The Self-Storage Facility shall be secured so that access is limited to tenants (or owners) and fire, police, or emergency service officials.
 - (g) A Self-Storage Facility shall provide adequate drive aisles between all buildings for vehicle circulation and fire and emergency access.
 - (h) The Self-Storage Facility may include an accessory on-site office. An office shall not exceed 500 square feet.
- e. Warehouse
 - (i) In all districts where permitted:
 - (a) The use must have access to a minor arterial or higher classification roadway. Entrances used for semi-trucks shall not have direct access to a local street.
 - (b) Loading and any outside storage areas must be screened in accordance with **26.04.010.F.3.b.**
- f. High-Intensity Artisan Manufacturing
 - (i) In the R-NH, C-IS, C-RT, and C-CN districts:
 - (a) No noise, dust, odor, vibrations, glare, or other nuisances may be generated outside of an enclosed building.
 - (b) All business operations (excluding outside storage as noted in **26.02.040.C.4.c(i)(c) above**) must be located in an enclosed building.
 - (c) Loading/unloading and any outside storage areas must be screened in accordance with **26.04.010.F.3.b.**
- g. Low-Intensity Artisan Manufacturing

- (i) In all districts where permitted:
 - (a) No noise, dust, odor, vibrations, glare, or other nuisances may be generated outside of an enclosed building.
 - (b) All business operations (excluding outside storage as noted in **26.02.040.C.4.c(i)(c) above**) must be located in an enclosed building.
 - (c) Loading and any outside storage areas must be screened in accordance with **26.04.010.F.3.b.**
 - h. High-Intensity Industrial and Manufacturing
 - (i) In all districts where permitted:
 - (a) No noise, dust, odor, vibrations, glare, or other nuisances may be generated outside of an enclosed building.
 - (b) All business operations (excluding outside storage as noted in **26.02.040.C.4.c(i)(c) above**) must be located in an enclosed building.
 - (c) Loading and any outside storage areas must be screened in accordance with **26.04.010.F.3.b.**
 - i. Salvage Yard
 - (i) A Salvage Yard shall be located at least 2,000 feet from any residential use, any R-NH, S-RE, or S-NH district, or any Urban or Corridor Context Area.
 - (ii) No hazardous wastes or hazardous materials shall be accepted or deposited at any salvage yard, except as incidental to the salvage operation.
 - (iii) Salvage operations shall be conducted to remove hazardous wastes and materials and dispose of them according to state and federal requirements.
 - (iv) Service trucks for the purpose of loading and unloading materials and equipment or removing wastes shall be restricted to the hours between 7:00 a.m. and 7:00 p.m.
 - (v) Screening shall be provided for all disabled or damaged vehicles, tools, and equipment.
 - (vi) Screening for disabled or damaged vehicles, tools, and equipment shall be constructed and be no less than 8 feet tall and no more than 12 feet tall.
 - (vii) In no instance shall any disabled or damaged vehicles, tools, or equipment be stacked higher than the required screening wall.
5. Agricultural Uses
- a. Reserved.

D. Temporary Uses

1. Purpose

This Section authorizes the establishment of temporary uses. A temporary use is considered permissible if it complies with the standards established in this Section and may be conducted as the principal use of land or as an accessory to a permanent principal use.
2. Approval Procedure

Any use listed in this Chapter may be permitted as a temporary use provided:

 - a. It is established in Table 02-3: Use Table; and
 - b. The proposed temporary use is consistent with the general and specific standards for temporary uses in this Section.
3. General Standards for all Temporary Uses

All temporary uses or structures shall meet the following general requirements unless otherwise specified in this Zoning Chapter:

- a. The temporary use or its related structure(s) shall not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare.
- b. Permanent alterations to the site are prohibited, and with the end of operation of the temporary use, the site on which it occurs shall be returned to the conditions existing prior to the initiation of the temporary use.
- c. All temporary signs associated with the temporary use or structure shall be properly permitted and removed when the activity ends, or the permit expires, whichever occurs first.
- d. Any use proposing to operate for a continuous period longer than one hundred and eighty (180) consecutive days within a calendar year, whether in a single application or cumulatively between multiple applications, shall be reviewed and subject to approval as a permanent use.

4. Temporary Use Types

Temporary uses are classified into three categories: Type A, Type B, and Type C. Temporary use types shall comply with the standards provided in **Table 02-4: Temporary Use Type Standards**.

a. Standards and Facilities

- (i) "Adverse Impacts," in the context of Temporary Use Type Standards, shall indicate noise, odor, fumes, glare, or similar effects of a temporary use that may extend beyond the property line if not effectively mitigated or enclosed.
- (ii) "Mitigation Required," in the context of Temporary Use Type Standards, shall indicate that a temporary use must demonstrate the adequacy of existing screening, fencing, or other mitigation facilities to inhibit the extension of adverse impacts beyond the property line. If such facilities are absent or inadequate, the use shall provide such facilities. Existence or provision of these facilities shall not enable a temporary use to generate more adverse impacts than it typically would for normal operations.
- (iii) "Parking Required," in the context of Temporary Use Type Standards, shall indicate that existing parking facilities on the property on which the temporary use will be located, or any available on-street parking within seven hundred fifty (750) feet, are not sufficient for the anticipated parking demand generated by the temporary use. In this event, the use shall utilize off-site parking facilities as permitted by the owner of said facilities.
- (iv) "Refuse Facilities Required," in the context of Temporary Use Type Standards, shall indicate that existing refuse facilities on the property on which the temporary use will be located are absent or not sufficient for the anticipated refuse volume generated by the temporary use. This includes uses for which Oklahoma City-County Health Department (OCCHD) requires sanitary facilities. In this event, the use shall provide waste receptacles which shall be emptied at least one (1) time per day while the temporary use is in operation.
- (v) "Sanitary Facilities Required," in the context of Temporary Use Type Standards, shall indicate that existing sanitary facilities on the property on which the temporary use will be located are absent or not sufficient for the anticipated demand generated by the temporary use. In this event, the use shall provide sanitary facilities which shall be cleaned at least one (1) time per day while the temporary use is in operation.
- (vi) All temporary uses shall provide an access, circulation, and parking plan demonstrating adequate facilities for the safe and convenient traversal of vehicles, pedestrians, and cyclists.

b. Application of Standards

- (i) Where a temporary use intends to operate for one of the three operational periods established in **Table 02-4: Temporary Use Type Standards**, it shall be subject to review and approval as the Type indicated for that operational period.
- (ii) Where a proposed temporary use requires mitigation, parking, refuse, or sanitary facilities as established in **Table 02-4: Temporary Use Type Standards**, it shall be subject to review and approval as the highest applicable Type.
- (iii) The applicant shall submit a temporary use application according to **26.02.050.E**.

Table 02-4: Temporary Use Type Standards

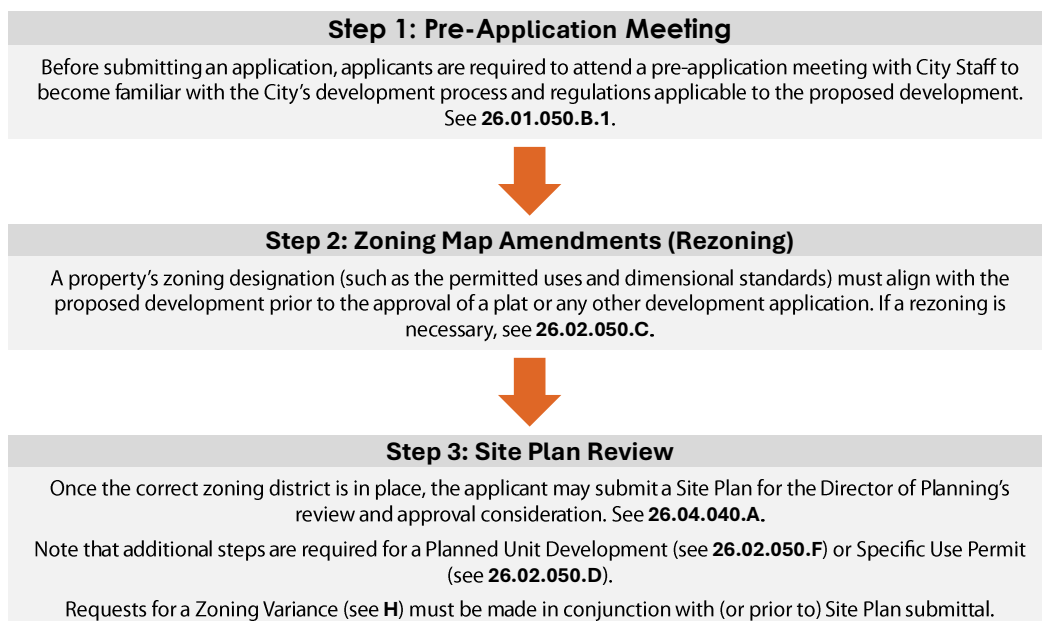
Temporary Use Type → ↓ Applicable Standards	A	B	C
Operational Period			
1-15 consecutive days	Yes	No	No
16-30 consecutive days	No	Yes	No
31-90 consecutive days	No	No	Yes
Standards and Facilities			
Mitigation required	No	Yes	Yes
Parking required	No	Yes	Yes
Refuse facilities required	No	Yes	Yes
Sanitary facilities required	No	No	Yes

26.02.050. Zoning Procedures

A. Zoning Process Overview

Any owner, developer, or subdivider of any lot, tract, or parcel of land located within the City's jurisdiction who wishes to develop such land shall conform to the process shown in **Figure 02-6: Typical Zoning Process Overview** unless otherwise stated herein.

Figure 02-6: Typical Zoning Process Overview





Step 4: Building Permit and Certificate of Occupancy

Following Site Plan approval, Building Permits can be issued for construction. Upon completion and determination of compliance, the City may issue a Certificate of Occupancy authorizing that the building may be occupied.

B. Annexation or Detachment

1. Applicability

This Section applies to the annexation or detachment of territory to the City, consistent with the following state statutes:

- a. 11 O.S. § 21-102
- b. 11 O.S. § 21-103
- c. 11 O.S. § 21-105
- d. 11 O.S. § 21-106
- e. 11 O.S. § 21-108
- f. 11 O.S. § 21-109
- g. 11 O.S. § 21-112
- h. 11 O.S. § 21-113
- i. 11 O.S. § 21-114
- j. 11 O.S. § 21-203

2. Initiation

Annexations and Detachments are initiated as provided by state law.

3. Completeness

All information required by state law is required for any annexation or detachment initiated by a property owner.

4. Notice and Hearing(s)

Public notice is required as provided by state law.

5. Decision

Decision-making procedures are provided by state law.

6. Approval Criteria

- a. The City's annexation policy is to evaluate annexation applications based on their conformance with the goals of the City's Comprehensive Plan.
- b. The City Council shall hold public hearings at the same time as annexation to establish the zoning district classification for newly annexed property.

7. Subsequent Applications

Any limits on subsequent applications apply to the extent provided by state law.

8. Appeals

Appeals procedures are provided by state law.

9. Scope of Approval

The City will extend the regulations of this UDC to annexed territory as provided by state law.

10. Recordkeeping

Annexations and Detachments are tracked as provided by state law.

C. Zoning Map Amendments (Rezoning)

1. Purpose

To provide a clear and consistent process for amending the official zoning map in a manner that implements the Comprehensive Plan, responds to changing conditions, and promotes the public health, safety, and welfare. This process ensures that proposed zoning changes are evaluated for compatibility with surrounding development, the availability of infrastructure and services, and the community's long-term vision. Rezoning is intended to accommodate appropriate growth and development while maintaining predictability, protecting established areas, and supporting orderly land use patterns consistent with adopted plans and policies.

2. Review Process

a. Initiation of Zoning Map Amendments

A Zoning Map amendment may be initiated by:

- (i) City Council on its own motion;
- (ii) Application by property owner or agent designated with written consent.

b. Staff Review and Report

The Director of Planning shall review the proposed Zoning Map amendment in light of the Comprehensive Plan, based on the criteria in **26.02.050.C.3**, and give a report to the Planning Commission on the date of the scheduled public hearing.

c. Planning Commission Recommendation

- (i) Following notice in accordance with **26.01.050.G. Public Notice**, the Planning Commission shall hold a public hearing and make a recommendation. All relevant materials submitted by the applicant and any other information deemed pertinent by the Director of Planning shall be transmitted to the Planning Commission.
- (ii) The Planning Commission shall study the proposed Zoning Map amendment, taking into account all factors which it may deem relevant, including, but not limited to, the consistency of the proposed amendment with the Comprehensive Plan and whether the proposed amendment serves to carry out the purposes of this UDC.
- (iii) The Director of Planning shall prepare a report of the Planning Commission deliberations and recommendation that shall be forwarded to City Council.

d. City Council Final Action

- (i) Following notice in accordance with **26.01.050.G. Public Notice**, the City Council shall hold a public hearing.
- (ii) The City Council shall consider the proposed Zoning Map amendment at the earliest reasonable date and shall consider the report of the Planning Commission in making a decision.
- (iii) The City Council shall act to approve, approve with conditions, or deny the Zoning Map amendment request based upon the criteria outlined in **26.02.050.C.3**.

3. Review Criteria

In determining whether to approve, approve with conditions or deny a Zoning Map amendment, the City Council shall consider the following factors:

- a. Consistency with the Comprehensive Plan;
- b. Compatibility with the present zoning and conforming uses of nearby property, including any applicable overlays or context areas;
- c. Suitability of the property for the uses permitted under the proposed zoning district;

- d. Suitability of the property for the uses permitted under the existing zoning district at the time of the application;
 - e. The extent to which approving the rezoning shall detrimentally affect adjacent properties;
 - f. The extent to which denial of the application would avoid or reduce potential adverse impacts to the public health, safety, and welfare, as compared to the degree of hardship or continued restriction of reasonable use imposed on the property owner;
 - g. Availability of water, wastewater, and stormwater facilities suitable and adequate for the proposed use;
 - h. The anticipated impact on tree canopy cover, forested areas, and areas of the Cross Timbers ecosystem; and
 - i. The net negative impact, if any, that may be reasonably anticipated as a result of approval of the application.
 - j. The net benefit to both the property owner and the community as a whole from approving the Zoning Map Amendment.
4. Protests
- a. Petitions shall be presented to the Planning Commission or City Council before or at the time of the public hearing for the Zoning Map Amendment.
 - b. At the time set for hearing protests, the Council shall proceed to hear and pass upon all protests made, either oral or written, and its decision shall be final and conclusive. An appeal of any action, decision or ruling pertaining to the amendment of the districts herein established may be taken by any person or persons jointly or severally aggrieved to the District Court by filing within 30 days a notice of appeal. See 11 O.S. § 43-109.
5. Change of Context Area
- a. A zoning map amendment seeking to change the context area designation of any property within the City may only be initiated by:
 - (i) City Council;
 - (ii) The Director of Planning.
 - b. Such zoning map amendments shall otherwise be reviewed according to the same process established in **26.02.050.C.2**, subject to the criteria established in **26.02.050.C.3** where applicable.

D. Specific Use Permits (SUPs)

1. Applicability
- A Specific Use Permit (SUP) may be granted only for certain uses so designated in each zoning district in **26.02.040.B. Use Table**. The purpose of this special review provision is to closely scrutinize those uses which, because of the size of the land they require or the specialized nature of the use, may more intensely dominate the area in which they are located, and whose effects on the general public are broader in scope than other uses permitted by right or with limitations in the district. No use requiring an SUP shall be commenced or maintained except in accordance with an approved Site Plan in accordance with **26.04.040.A**. See 11 O.S. § 43-113 and 11 O.S. § 43-114.
2. Review Process
- a. Initiation

A Specific Use Permit application may be initiated by:

 - (i) City Council on its own motion;
 - (ii) A property owner or agent designated with written authorization.

b. Pre-Application Meeting

Pre-application meetings are required for SUPs. See **26.01.050.B.1.**

c. Staff Review and Report

The Director of Planning shall review the SUP application in light of the Comprehensive Plan, based on the criteria in **4 below**, and give a report to the Planning Commission on the date of the scheduled public hearing.

d. Planning Commission Recommendation

(i) Following notice in accordance with **26.01.050.G. Public Notice**, the Planning Commission shall hold a public hearing. All relevant materials submitted by the applicant and any other information deemed pertinent by the Director of Planning shall be transmitted to the Planning Commission.

(ii) The Planning Commission shall study the specific use permit application, taking into account all factors which it may deem relevant, including, but not limited to, the consistency of the proposed use with the Comprehensive Plan and whether the proposed use serves to carry out the purposes of this UDC.

(iii) The Director of Planning shall prepare a report of the Planning Commission deliberations and recommendation that shall be forwarded to City Council.

e. City Council Final Action

(i) Following notice in accordance with **26.01.050.G. Public Notice**, the City Council shall hold a public hearing.

(ii) The City Council shall consider the proposed specific use application at the earliest reasonable date and shall consider the report of the Planning Commission in making a decision.

(iii) The City Council shall act to approve, approve with conditions, or deny the specific use permit application based upon the criteria in **26.02.050.D.4.**

3. Submittal Requirements

All SUP submittals shall be in the form of and correctly contain all information and/or language required by the SUP review checklist maintained by the Planning Department and located in the most recently approved version of the Unified Development Manual.

4. Review Criteria

On any specific use permit application, the City Council may include the requirement of any such conditions and restrictions as may be necessary to minimize potential adverse impacts of the proposed use and to further the purposes of this UDC. Such features shall be provided and maintained during the continuance of any use of which they are appurtenant. In determining whether to approve, approve with conditions or deny a specific use permit application, the City Council shall consider the following factors:

a. Consistency with the Comprehensive Plan;

b. The proposed specific use is not detrimental to the public health, safety, and welfare of the surrounding neighborhood;

c. All aspects of the proposed specific use Site Plan are harmonious with the character of the surrounding area;

d. The location and area of main and accessory buildings on the site properly relate to each other and to adjacent uses;

e. The proposed use does not negatively impact existing uses in the area and in the City through impacts on existing public infrastructure and utilities such as roads, parking,

- loading and access facilities, electric systems, water and sewer systems, and on public services such as police and fire protection and solid waste collection;
 - f. Use-Specific Regulations governing adjacency to residential uses, if applicable;
 - g. The anticipated impact on tree canopy cover, forested areas, and areas of the Cross Timbers ecosystem; and
 - h. The provision and manner of maintenance of fences, walls, and landscaping are adequate.
5. Changes to an Approved SUP Site Plan
- Any modification to an approved Site Plan that was filed as part of a Specific Use Permit shall be submitted to the Director of Planning and reviewed in accordance with **26.04.040.C**.
6. SUP Expiration
- Unless otherwise specified by the City Council's approval, an SUP will expire if the applicant does not obtain a Certificate of Occupancy within 36 months of the SUP's approval or if the applicable use has been discontinued for a period of 12 months.

E. Temporary Use Permit

1. Applicability

This Section applies to any application for approval of a use designated as a temporary use. Temporary uses are categorized into three types in **26.02.040.D**: Type A, Type B, and Type C.
2. Initiation

A temporary use permit may be initiated at the request of:

 - a. City Council on its own motion; or
 - b. The owner or agent designated with written authorization.
3. Completeness
 - a. Generally, see **26.01.050.B.2.b**
 - b. In addition to the requirements of **26.01.050.B.2.b**, the applicant shall provide the following information, demonstrating:
 - (i) The location, including the address of the temporary use (if no address is available, a description which is intelligible to the average layperson will suffice);
 - (ii) The duration of the proposed use;
 - (iii) That the proposed use complies with the regulations of the zoning district in which it is located;
 - (iv) That the proposed use complies with any relevant use-specific regulations; and
 - (v) Which of the Temporary Use Types established in **26.02.040.D** the applicant believes the proposed use to be based on its need for mitigation, parking, refuse facilities, and/or sanitary facilities.
 - c. The Director of Planning shall, in their review for completeness, interpret whether the proposed temporary use matches the standards of the temporary use type indicated in the application. If the Director of Planning deems that the application has correctly assessed which temporary use type the proposed use is, they may review and render a decision or a recommendation accordingly. If the Director of Planning deems that the proposed temporary use meets the criteria for review as a different temporary use type, they shall:
 - (i) Notify the applicant, and provide the applicant with the opportunity to:
 - (a) Amend the application with additional information or corrections and resubmit the application; or
 - (b) Agree to sustain the application for review according to the procedure for the

temporary use type as determined by the Director of Planning.

4. Notice and Hearing(s)
 - a. Type A Temporary Uses
Noticing and public hearing requirements do not apply to Type A Temporary Uses.
 - b. Type B Temporary Uses
Noticing and public hearing requirements do not apply to Type B Temporary Uses; however, the temporary use application shall be placed on the Planning Commission's agenda as a consent item.
 - c. Type C Temporary Uses
Noticing and public hearing requirements apply to Type C Temporary Uses, and shall comply with the requirements of **26.01.050.G**.
5. Decision
 - a. Type A Temporary Uses
 - (i) *Director Review and Decision*. The Director of Planning shall review the temporary use permit, and shall act to:
 - (a) Approve the temporary use permit;
 - (b) Deny the temporary use permit; or
 - (c) Approve the temporary use permit with conditions.
 - b. Type B Temporary Uses
 - (i) *Director Review*. The Director of Planning shall review the temporary use permit, and shall provide a recommendation to the Planning Commission to:
 - (a) Approve the temporary use permit;
 - (b) Deny the temporary use permit; or
 - (c) Approve the temporary use permit with conditions.
 - (ii) *Planning Commission Decision*. The Planning Commission shall consider the temporary use permit after a recommendation has been provided by the Director of Planning, and shall act to:
 - (a) Approve the temporary use permit;
 - (b) Deny the temporary use permit; or
 - (c) Approve the temporary use permit with conditions.
 - c. Type C Temporary Uses
 - (i) *Director Review*. The Director of Planning shall review the temporary use permit and shall provide a recommendation to the Planning Commission to:
 - (a) Approve the temporary use permit;
 - (b) Deny the temporary use permit; or
 - (c) Approve the temporary use permit with conditions.
 - (ii) *Planning Commission Decision*. The Planning Commission shall consider the temporary use permit at a public hearing after a recommendation has been provided by the Director of Planning. After the hearing is closed, the Planning Commission shall act to:
 - (a) Approve the temporary use permit;
 - (b) Deny the temporary use permit; or
 - (c) Approve the temporary use permit with conditions.

6. Standards

A temporary use permit shall be approved only if the applicant demonstrates that:

- a. The temporary use shall be so designated, located, and operated so that the public health, safety, and welfare will be protected.
- b. The temporary use shall be compatible with other uses located nearby.
- c. The temporary use shall comply with all applicable requirements of this Chapter, including standards for temporary uses provided in **26.02.040.D**.
- d. The temporary use shall be in conformance with all applicable provisions stated in this Chapter for the zoning district in which the use is to be located.

7. Subsequent Applications

- a. If a temporary use permit is denied, the applicant shall not submit a temporary use permit application for the same temporary use on the same property for at least thirty (30) days.
- b. The waiting period begins on the date of the denial decision of the prior application.

8. Appeals

A temporary use permit decision may be appealed to the appropriate approval authority as provided in **26.01.050.I**.

9. Scope of Approval

The approval of a temporary use permit does not authorize the development of land. A temporary use permit allows the applicant to apply for a building permit, or any other permits required for the use to be constructed and become operational.

10. Recordation

The original record of the temporary use permit shall be kept and maintained by the City. The applicant shall keep a copy of the temporary use permit decision.

F. Planned Unit Developments (PUDs)

1. Applicability

- a. A PUD may be used to permit new or innovative concepts in land utilization, master-planned communities, or mixed use developments that other districts do not easily accommodate and that are consistent with the Comprehensive Plan.
- b. The application for PUD and PUD Master Design Statement approval shall include all contiguous property under the ownership or control of the applicants.
- c. See 11 O.S. § 43-110.

2. Review Process

a. Initiation

A Planned Unit Development application may be initiated by:

- (i) City Council on its own motion;
- (ii) A property owner or agent designated with written authorization.

b. Staff Review and Report

The Director of Planning shall review the PUD application, in light of the Comprehensive Plan, based on the criteria in **4 below**, and give a report to the Planning Commission on the date of the scheduled public hearing.

c. Planning Commission Recommendation

- (i) Following notice in accordance with **26.01.050.G. Public Notice**, the Planning Commission shall hold a public hearing and make a recommendation.

- (ii) The Planning Commission shall study the proposed PUD application, taking into account the recommendations of the staff, the review criteria and other applicable standards in this UDC, all relevant materials submitted by the applicant, and any other information deemed pertinent.
 - (iii) The Director of Planning shall prepare a report of the Planning Commission deliberations and recommendations that shall be forwarded to City Council.
 - d. City Council Final Action
 - (i) Following notice in accordance with **26.01.050.G. Public Notice**, the City Council shall hold a public hearing.
 - (ii) The City Council shall approve, approve with conditions, or deny the PUD application, taking into account the recommendations of the staff and the Planning Commission.
 - e. Approval with Conditions

The City Council may grant approval with conditions only to the extent that such conditions specify the actions necessary to bring the application into complete compliance with applicable regulations or where additional conditions have been agreed to by the applicant.
- 3. Submittal Requirements

All PUD applications shall be in the form of and correctly contain all information and/or language required by the most recent approved version of the guidance document/list contained in the Unified Development Manual.
- 4. Review Criteria

In determining whether to approve, approve with conditions or deny a PUD application, the City Council shall consider and make findings on the following factors:

 - a. Consistency with the Comprehensive Plan;
 - b. Compatibility with the present zoning and conforming uses of nearby property, including any applicable overlays or context areas;
 - c. Suitability of the property for the uses permitted under the proposed zoning district;
 - d. Suitability of the property for the uses permitted under the existing zoning district at the time of the application;
 - e. Utilities and infrastructure sufficient to address the needs of the proposed use;
 - f. Substantive conditions regarding the layout, density, circulation, and performance of the proposed development;
 - g. Any concerted effort that is made to preserve trees by the standard set forth in **26.04.030**; and the anticipated impact to tree canopy cover, forested areas, and areas of the Cross Timbers ecosystem;
 - h. The net negative impact, if any, that may be reasonably anticipated as a result of approval of the application.
 - i. The net benefit to both the property owner and the community as a result of approval of the application.
 - j. Suitability of the PUD Master Design Statement and requested variances.

G. Neighborhood Character Overlays

- 1. Review Process
 - a. Initiation
 - (i) A Neighborhood Character Overlay District establishment application may be initiated by:

- (a) A property owner, group of property owners, neighborhood association or similar organization, or designee of any of the above, within the area proposed for Overlay designation.
- (ii) Pre-Application Meeting
 - (a) Pre-Application Meetings for Neighborhood Character Overlay District establishment applications are required per **Table 01-1: Authority Table**.
 - i. In addition to any other materials required or generally employed during Pre-Application Meetings, the applicant shall furnish, in writing:
 - (1) A statement of intent generally describing the goals of establishing an Overlay in their community.
 - (2) A statement of extent describing the anticipated boundaries of the overlay, described in terms of intersections and public streets along which the boundaries are to be coterminous.
 - (3) A statement of approximated changes to design and construction standards from the UDC, including but not limited to adjustments to maximum or minimum dimensional standards, form standards, landscaping standards, and site design standards.
 - (4) A statement of understanding that establishing the Overlay district will authorize the Edmond Design Review Board to approve or deny certain development and construction activities, that would otherwise be approved or denied administratively, in accordance with the agreed-upon provisions of the Overlay.
- (iii) Staff Review and Recommendation
 - (a) The Director of Planning shall review the Neighborhood Character Overlay District establishment application, considering the Comprehensive Plan, in comparison to existing provisions of this UDC, and against the criteria in **26.02.050.G.2**, and give a report to the Edmond Design Review Board, including a recommendation to:
 - i. Approve the application;
 - ii. Deny the application; or
 - iii. Approve the application with modifications.
- (iv) Edmond Design Review Board Review and Recommendation
 - (a) The Edmond Design Review Board shall review the Neighborhood Character Overlay District establishment application, considering the Comprehensive Plan, in comparison to existing provisions of this UDC, against the criteria in **26.02.050.G.2**, and in the context of the Staff Recommendation, and shall vote to issue a recommendation to the Planning Commission to:
 - i. Approve the application;
 - ii. Deny the application; or
 - iii. Approve the application with modifications.
- (v) Planning Commission Review and Recommendation
 - (a) The Planning Commission shall review the Neighborhood Character Overlay District establishment application, and shall vote to issue a recommendation to the City Council to:
 - i. Approve the application;
 - ii. Deny the application; or

- iii. Approve the application with modifications.
 - (vi) City Council Review and Decision
 - (a) The City Council shall review the Neighborhood Character Overlay District establishment application, and shall act at a public hearing to:
 - i. Approve the application;
 - ii. Deny the application; or
 - iii. Approve the application with modifications.
 - (b) Approval or Approval with Modifications of the application shall, by ordinance, amend the text of this UDC to include the establishing language and provisions of the Overlay as a numbered item subordinate in organization to **26.02.030.B.4.e**.
- 2. Submittal Requirements
 - a. An application to establish or amend a Neighborhood Character Overlay District shall include:
 - (i) A complete application form;
 - (ii) A statement of intent, which contains specific findings regarding the need for the proposed Overlay and a description of intended outcomes;
 - (iii) A statement of extent, which describes the anticipated contiguous boundaries of the proposed Overlay in terms of public streets and intersections, assuming that Overlay boundaries begin where the public right-of-way ends;
 - (iv) A statement of design and construction standards, including minimum and/or maximum values for, or an indication of the non-applicability of, the following dimensions:
 - (a) Lot area
 - (b) Lot width
 - (c) Impervious surface coverage
 - (d) Front setback
 - (e) Rear setback
 - (f) Side setback
 - (g) Corner side setback
 - (h) Building height
 - (v) A list of all prohibited design and construction materials;
 - (vi) A record of neighborhood involvement, which shall take the form of written comment logs, meeting minutes, video recordings, audio recordings, annotated meeting materials, or a combination thereof; and
 - (vii) A record of consensus from all affected property owners to establish the proposed Overlay, expressed as a document containing the addresses, contact information, and signatures of said property owners.
- 3. Noticing and Neighborhood Involvement
 - a. All properties proposed for inclusion within the Overlay shall be noticed in accordance with **26.01.050.G.3** of the applicant's intent to apply, and of all involvement opportunities hosted by the applicant.
 - b. Neighborhood involvement opportunities shall generally comply with the standards of **26.01.050.G.5.c**.

H. Zoning Variances

1. Applicability

Pursuant to 11 O.S. § 44-107, the Board of Adjustment is authorized to grant variances from the district dimensional standards found in this UDC. It is the intent of this delegation of power to the Board that no variance shall be granted which is a use variance and has the practical effect of rezoning property to a higher intensity of use than the district in which the property is located.

2. Review Process

a. Initiation

A Zoning Variance application may be initiated by:

- (i) A property owner or agent designated with written authorization.

Following notice in accordance with subsection **26.01.050.G**, the Board of Adjustment shall hold a public hearing on the variance request, and, at the close of the public hearing act to approve, approve with conditions or deny the application based on the criteria in **26.02.050.H.3**. A concurring vote of at least three members of the Board of Adjustment shall be required to approve any variance request.

3. Review Criteria

A variance shall be granted upon an affirmative finding by the Board of Adjustment that all of the following exist.

- a. The application of the regulations to the particular piece of property would create an unnecessary physical (not economic) hardship because the property cannot be used for an otherwise allowed use without coming into conflict with applicable site development standards.
- b. Such conditions are peculiar to the particular piece of property involved and are not a result of the owner's intentional action.
- c. The granting of the variance shall be the minimum necessary to alleviate the unnecessary hardship.

4. Finding of Fact

- a. The Board of Adjustment shall, in making its finding on any specific case, determine the effect of the proposed change upon the supply of light and air to adjacent property, upon the congestion in the public rights-of-way, upon the public safety from fire and other hazards, upon the established property values within the surrounding area, and upon other factors relating to the public health, safety, and general welfare of the City.
- b. Every ruling made upon any variance shall be accompanied by a written finding of fact based upon the testimony received at the hearing afforded by the Board, and shall specify the reason for granting or denying the variance.

5. Appeal From Board Decision

a. Procedure

Pursuant to 11 O.S. § 44-110, an appeal from a variance decision by the Board of Adjustment shall be taken by any person or persons, jointly or severally, to the District Court by filing a notice of appeal with the City Clerk and with the Board of Adjustment within 30 days from the filing of the decision of the Board, which notice shall specify the grounds of such appeal. Upon filing of the notice of appeal, the Board shall forthwith transmit to the Court Clerk of the County the original or certified copy of all the papers constituting the record in the case, together with the decision of the Board.

b. Stay of Proceedings

An appeal to the District Court from the Board of Adjustment stays all proceedings in furtherance of the action appealed from, unless the Chair of the Board of Adjustment, from which the appeal is taken, certifies to the Court Clerk, after the notice of appeal shall have been filed, that by reason of facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed or otherwise than by a restraining order which may be granted by the District Court upon application or notice to the administrative officer in charge of the enforcement of the terms and provisions of this UDC, and upon notice to the Chair of the Board of Adjustment from which the appeal is taken, and upon due cause being shown, the Court may reverse or affirm, wholly or partly, or modify the decision brought up for review.

I. Zoning Special Exceptions

In accordance with 11 O.S. § 44-106, the Board of Adjustment may make special exceptions to specific uses allowed in accordance with **26.02.040** in appropriate cases and subject to appropriate conditions and safeguards in harmony with its general purpose and intent and only in accordance with general or specific provisions contained in this UDC.

Chapter 26.03. Subdivision Regulations

26.03.010. Subdivision General Provisions

A. Generally

1. The purposes of this Chapter are to:
 - a. Protect and provide for the public health, safety, and general welfare of the City.
 - b. Ensure new development meets the goals and conforms to the objectives and policies of the City's Comprehensive Plan.
 - c. Provide for orderly growth and land development.
 - d. Provide for adequate light, air, and privacy,
 - e. To secure safety from fire, flood, and other dangers, and
 - f. To prevent overcrowding of the land and undue congestion of population.
 - g. Provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the City, with particular regard to the avoidance of congestion on the roads and highways, and provide for the proper location and width of roads and building lines.
 - h. Establish reasonable standards for subdivisions in order to further the orderly layout and use of land and to ensure proper legal descriptions of subdivided land.
 - i. Facilitate the creation of accurate records of the separate interests created and conveyed by the subdivision of land, thereby helping to protect private property rights.
 - j. Ensure that public facilities, utilities, and services are available concurrent with development and will have a sufficient capacity to serve the proposed subdivision.
 - k. Provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of development as established in this UDC.
 - l. Promote sustainable land development practices.
2. All lots created through platting or other means shall comply with all zoning criteria for the district applied to the property from which the lots are being created.
3. Applicability
These regulations apply to all subdivisions of land located within Edmond's corporate limits. All subdivisions shall comply with all other regulations established within this UDC.

B. Land Division Types

1. Land in Edmond may be subdivided according to the following procedures:
 - a. Preliminary Plat
 - b. Final Plat
 - c. Lot Split
 - d. Lot Line Adjustment
2. Standards for each procedure are established in **26.03.030**.

C. Platting Required

Platting is required in the following situations:

1. If a platted or unplatted lot, tract, or parcel is being subdivided into more than two lots;
2. If a platted or unplatted lot, tract, or parcel has previously been lot split;
3. If the design of a platted subdivision is altered by a five percent (5%) change in total lots due to the creation or deletion of lots; or
4. If the dedication of any street or required improvement, including private streets, is involved in the division of property into two or more lots.

See 11 O.S. § 41-101, et seq.

26.03.020. Plat Improvements

A. Adequate Improvements Required

1. Subdivider Responsibility

Land proposed for development in the City's jurisdiction must provide adequate improvements and facilities, including water, wastewater, drainage, solid waste, roadway, bicycle, pedestrian, electricity, and communications facilities, which are to be provided by the subdivider. A development is considered adequately served when its infrastructure has the capacity to meet the demand generated by the development, the Comprehensive Plan, other adopted master plans for public facilities, and applicable capital improvement plans.

2. Minimum Requirements

This UDC identifies the minimum requirements for providing utilities, roadways, parks, and other facilities necessary to protect or promote the public health, safety, and welfare of the community. It is the intent of this UDC that no development occurs until these minimum levels of service are met. Each subdivision shall be required to dedicate, construct or upgrade required facilities and infrastructure to a capacity that meets these minimum levels.

3. Rough Proportionality and Fair Share Policy

No dedication otherwise required by this UDC may be imposed upon a property owner unless the City determines that the dedication is related to the impact of the proposed development, is roughly proportional to the needs created by the proposed development, and provides a benefit to the development.

4. Conformance with Standards and Plans

In addition to the requirements established in these regulations, the design and construction of improvements must conform to the standards, criteria, and requirements of the following, as they may from time to time be amended:

- a. The Official Zoning Map;
- b. The City of Edmond Engineering Criteria Manual;
- c. Edmond Tree and Landscape Guide;
- d. Edmond Tree Preservation Ordinance;
- e. The Manual on Uniform Traffic Control Devices (MUTCD);
- f. National Association of City Transportation Officials (NACTO) Urban Street Design Guide;
- g. American Association of State Highway Transportation Officials (AASHTO) Design Manual;
- h. The Americans with Disabilities Act (ADA) and Public Right-of-Way Accessibility Guidelines (PROWAG);
- i. International Fire Code (as adopted);
- j. National Electric Safety Code;
- k. Health Department, Oklahoma Department of Environmental Quality (DEQ), and/or appropriate state or regional agencies;
- l. The rules of the Oklahoma Department of Transportation (ODOT) if the subdivision or any lot or portion of a lot abuts a state highway or connecting road;
- m. The City of Edmond Downtown Design Guidelines; and
- n. Any other standards and regulations adopted by the City.

5. Conformance with Guidelines

Plat approval shall be withheld if a subdivision is not in conformity with the laws, regulations, guidelines, and policies outlined in **26.03.020.A.4** as well as the purposes of these regulations.

6. Self-Imposed and Other Private Restrictions

- a. The City is not responsible for the enforcement of any Covenants, Conditions, and Restrictions (CCRs) or Homeowners' Association (HOA) regulations.
- b. If the owner places restrictions on any of the land contained in the subdivision greater than those required by this UDC, those restrictions or references to those restrictions shall be required to be indicated on the subdivision plat.
- c. Where restrictive covenants are less restrictive than those required by this UDC, the more restrictive regulation shall prevail. All restrictive covenants shall be filed in the office of the Oklahoma County Clerk.

7. Character of the Land

Land that the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features that will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Planning Commission, upon recommendation of the Director of Engineering, to solve the problems created by the unsuitable land conditions. That land shall be set aside for uses that shall not involve any danger to public health, safety, and welfare.

B. Approval of Construction Plans

1. Construction Plans Required and Compliance with the Engineering Criteria Manual

Construction plans are required for any project involving road construction, drainage improvements, utility installation, or other public site improvements necessary to support the proposed development. Construction plans shall be prepared and submitted in accordance with the provisions of the Engineering Criteria Manual, and must be signed and sealed by a Professional Engineer registered in the state of Oklahoma.

2. Timing of Construction Plans

- a. Construction plans must be submitted in conjunction with a Final Plat and Maintenance Security.
- b. Before issuance of a building permit for the improvements required by this UDC, complete plans and specifications for the required improvements must have been approved, in their entirety, by the Director of Engineering.

3. Changes to Approved Plans

Changes to approved plans must be submitted for review and approval. No change in the plans and specifications for required improvements shall be made without the prior written approval of the Director of Engineering.

4. Effect of Approval

Following the submittal and approval of Construction Plans, the subdivider shall schedule a pre-construction meeting.

5. Expiration of Construction Plans

- a. Construction plans expire along with the Final Plat in accordance with **26.03.030.C.3.d.**
- b. Projects under construction may be exempt from expiration at the discretion of the Director of Engineering.

C. Pre-Construction Meeting

1. Purpose of Pre-Construction Meeting

- a. The purpose of the pre-construction meeting is for the contractor, Engineer of record, and City Staff to discuss administrative, communication, and operating procedures for project construction prior to construction release.
- b. A list of typical inspection items, procedures, and acceptance criteria for electrical, public right-of-way, tree preservation and conservation plans, and easement requirements shall be furnished to the applicant.

2. Meeting Procedures

- a. The contractor and Engineer of record shall attend a pre-construction meeting with the Director of Engineering and Urban Forester if improvements are to be constructed with the project.
- b. The pre-construction meeting shall be scheduled following the approval of the Construction Plans and prior to commencement of any construction on the property.
- c. The contractor and Engineer of record shall be responsible for contacting the Director of Engineering, requesting a meeting time, and notifying all participants of the meeting.
- d. After receiving a meeting request from the applicant, the Director of Engineering shall promptly schedule a pre-construction meeting.

D. Construction Release

1. Requirements for Construction Release

- a. Following approval of the construction plans, receipt of all required documentation, fees (if applicable), and the pre-construction meeting, the Director of Engineering shall release the plans for the construction of improvements if all City requirements pertaining to construction have been met.
- b. The construction release shall remain in effect for a period of one year from the date of issuance, or for the duration of construction of the project if progress or development of the project continues to be demonstrated.
 - (i) The Director of Engineering may authorize a one-time one-year extension to the construction release if progress or development of the project has not been clearly demonstrated.

2. Effect

Following the construction release, the subdivider may begin constructing all required plat improvements.

E. Construction, Inspection, and Acceptance of Improvements

1. Periodic Inspections

- a. The City shall, from time to time, inspect the construction of all required improvements in the subdivision during the course of construction to ensure compliance with the City's standards. In this regard, free access to the subdivision shall be given to the City by the subdivider, their agents, and employees.
- b. Inspection by the City, or a failure of the City to inspect construction as required in this section, shall not impair or diminish the obligation of the subdivider to install improvements in accordance with plans and specifications approved by the City, in accordance with the City's standards.

2. Preliminary Inspection Required

- a. The subdivider, upon completion of required improvements, shall request a preliminary inspection from the Director of Engineering and Urban Forester.

- b. Prior to the preliminary inspection, hard copy and/or digital files for review and approval of all improvements shall be corrected "as built," signed and sealed by the subdivider's design engineer and filed with the Director of Engineering. Said files shall be provided as specified by the Director of Engineering and in the standard format required by the City. Any construction identified as incomplete shall be corrected prior to final inspection or provide a cash escrow in an amount of 125 percent of the contract cost.
 - c. After preliminary inspection, the Director of Engineering and Urban Forester will notify and provide the subdivider with a written punch list of any issues the applicant must rectify in order for the improvements to be in accordance with the approved Construction Plans and City standards.
3. Final Inspection and Acceptance
- a. The subdivider, upon rectifying any issues identified in the preliminary inspection punch list (if applicable), shall request from the Director of Engineering a final inspection.
 - b. If all improvements are completed, inspected, tested (if applicable), and determined by the Director of Engineering to be in conformance with the provisions of the UDC and the City's standards and all inspection fees have been paid, then the Director of Engineering shall schedule the plat on the agenda of the next City Council meeting for acceptance.
 - c. Within 30 days following completion of all improvements, final as-builts must be submitted for review and approval if any changes were made since the previous submittal prior to the preliminary inspection.
4. Final Plat and Acceptance

Once as-builts have been provided, the applicant may submit a Final Plat Mylar in accordance with **26.03.030.C. Final Plat**. Improvements are accepted for maintenance by the City when the Final Inspection and Acceptance steps are completed and the Final Plat has been accepted by City Council and recorded with the Oklahoma County Clerk, unless improvements are delayed and Performance Security is provided in accordance with **26.03.020.F.1**.

F. Financial Security for Improvements

1. Performance Security to Delay Required Improvements
- a. Performance Security is required when an applicant delays the construction of plat improvements until after Final Plat acceptance and recordation. The purpose of Performance Security is to ensure that the required infrastructure is installed in accordance with the City's standards.
 - b. The option to provide Performance Security to delay improvements shall be at the discretion of the Director of Engineering. A request to delay improvements may be denied.
 - c. When a Final Plat is accepted and recorded before improvements are installed, Performance Security in an amount of 125 percent of the contract cost is required. The Director of Engineering may authorize partial release of Performance Security as improvements are completed.
 - d. When any required improvements will be postponed and constructed after Final Plat acceptance and recordation, the applicant must enter into a development agreement approved by the City by which the applicant:
 - (i) Guarantees completion of all the required improvements;
 - (ii) Provides Performance Security for the completion of all required improvements as outlined herein;
 - (iii) Provides Maintenance Security to warranty the improvements in accordance with **26.03.020.F.2. Maintenance Security**; and

- (iv) Outlines other terms and conditions as are agreed to by the applicant and the City.
 - e. The City Manager is responsible for approving development agreements required by this section, following Director of Engineering and City Attorney review.
 - f. The applicant shall install and complete all improvements in the subdivision within two years unless otherwise stated in the development agreement. The Director of Engineering may authorize one six-month extension. Additional extensions require a new development agreement.
 - g. The applicant will pay all bills for contractors, subcontractors, labor, and materials incurred in the completion of the improvements and utilities.
2. Maintenance Security
- a. Maintenance Security is required any time improvements will be accepted for maintenance by the City. The purpose of Maintenance Security is to warranty the materials and workmanship for a period of time following the acceptance of improvements.
 - b. Maintenance Security must be provided when the request for a work order is made and is accepted in conjunction with the Final Plat.
 - c. The applicant shall furnish the City with Maintenance Security equal to 100 percent of the contract amount.
 - d. The term of required Maintenance Security varies based on the type of improvement.
 - (i) The full Maintenance Security shall be effective for one year after Final Plat acceptance and recordation (if the improvements are installed before Final Plat approval), or one year after the Letter of Acceptance (see **26.03.020.E.4**) is issued (if improvements are installed after Final Plat approval).
 - (ii) The second year shall require 15 percent of the contract price
3. Types of Security Accepted
- The following types of security are accepted by the City:
- a. Performance Security - Cash Escrow
 - (i) Escrow Deposit with the City

When the City Manager requires or agrees to accept escrow deposits, the applicant shall deposit in escrow with the City, at a financial institution to be determined by the City. The full amount of escrow shall remain deposited with the City until completion of the project. The City Manager shall review and approve the amount, which shall be approved and paid prior to the recordation of the Final Plat.
 - (ii) City Usage of Escrowed Funds

The City may also use the escrowed funds in participation with another entity (such as ODOT or the County, etc.) to jointly construct the improvements.
 - b. Maintenance Security - Bond

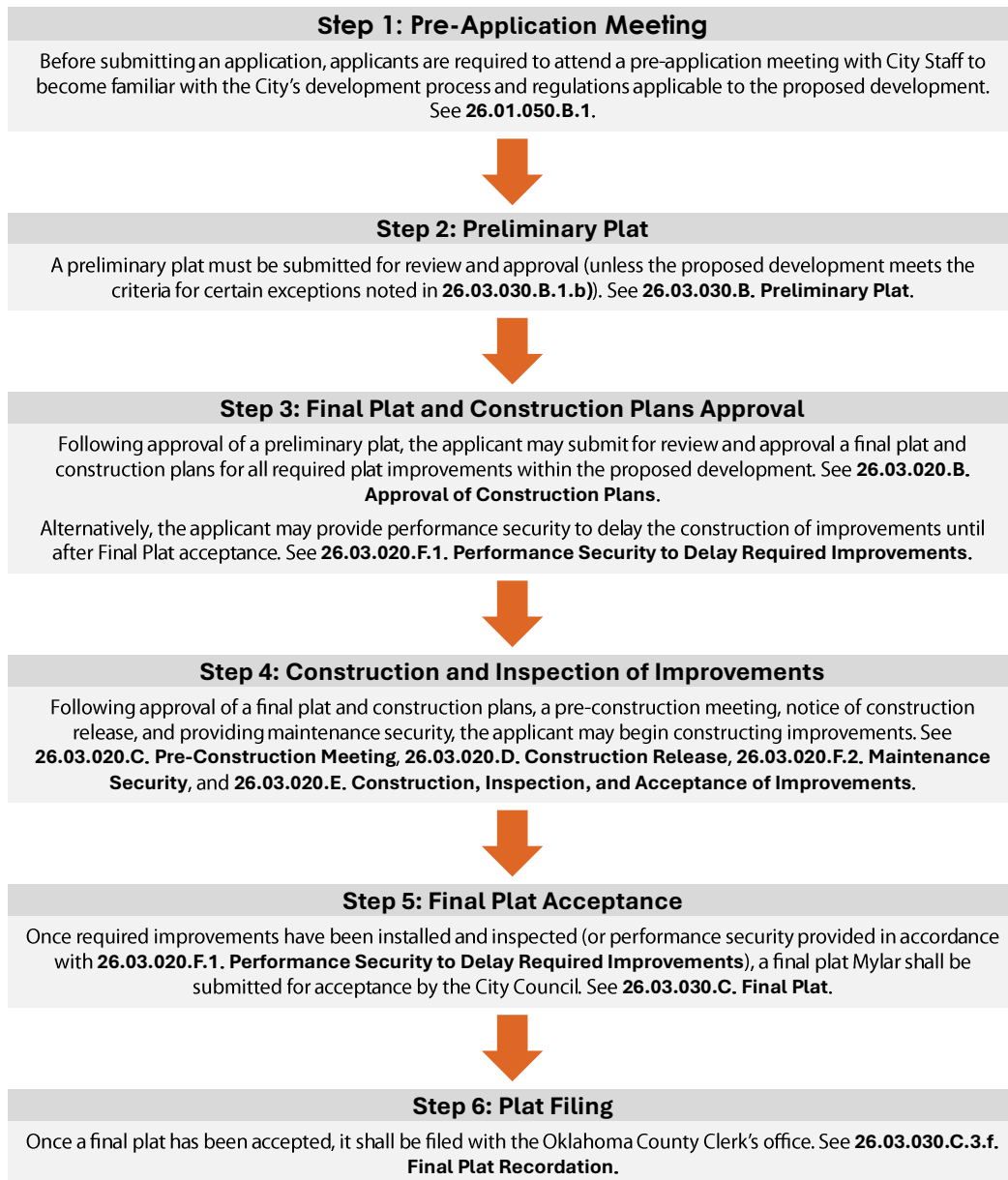
Bond issuers shall be registered with the U.S. Treasury. Bonds shall be executed by a surety company holding a license to do business in the State of Oklahoma.

26.03.030. Subdivision Procedures

A. Subdivision Process Overview

Any owner, developer, or subdivider of any lot, tract, or parcel of land located within the City's jurisdiction who wishes to subdivide such land shall conform to the process shown in Figure 03-1: Typical Subdivision Process Overview unless otherwise stated herein.

Figure 03-1: Typical Subdivision Process Overview



B. Preliminary Plat**1. Applicability**

- a. No subdivision of land shall occur without proper submittal and approval of a Preliminary Plat. An approved Preliminary Plat is required prior to the application for a Final Plat.

- b. Exceptions:

No Preliminary Plat is required for the following:

- (i) Applications processed as a Lot Split (see **26.03.030.D**); or
- (ii) If the Development Review Team (DRT) determines during the pre-application meeting that a lot, tract, or parcel with a single use proposed may qualify for a Final Plat application without the Preliminary Plat process. As such, the DRT may exempt an application from a Preliminary Plat if:
 - (a) The lot, tract, or parcel contains a single use; and
 - (b) No new streets or public rights-of-way are created;
 - (c) No public water or wastewater infrastructure longer than 150 feet in length must be installed or constructed;
 - (d) No regrading greater than 5% of the total lot area is required;
 - (e) No trees, vegetation, or landscaping will be impacted, nor shall any new vegetation need to be installed; and
 - (f) No common areas are created that would become the maintenance responsibility of the City or otherwise require the creation of an HOA or similar management entity.

2. Application Submittals and Submittal Requirements

- a. All plat applications and related materials shall be submitted to the Director of Planning. The Director of Planning shall determine the completeness of all applications.
- b. All Preliminary Plat submittals shall be in the form of and correctly contain all information and/or language required by the Unified Development Manual maintained by the Planning Department.

3. Review and Approval Process

- a. Development Review Team (DRT) Review and Recommendation

- (i) The DRT will collaborate to review each Preliminary Plat application and determine compliance with this UDC. The DRT may provide comments to the applicant until compliance with UDC requirements is determined. Then, the DRT shall take one of the following actions:
 - (a) Recommend approval of the plat, or
 - (b) Recommend denial of the plat.
- (ii) The DRT recommendation will be provided to the Planning Commission. The plat may then be considered for recommendation by the Planning Commission at a regular meeting for approval.

- b. Planning Commission Action

- (i) The Commission shall:
 - (a) Review the Preliminary Plat application, the recommendation of the DRT, and any other information available.
 - i. From all such information, the Commission shall determine whether the Preliminary Plat conforms to the regulations of this UDC.

- (b) Take one of the following actions:
 - i. Approve of the Preliminary Plat if it complies with the provisions of UDC and other regulations governing the subdivision of land; or
 - ii. Deny of the Preliminary Plat if one or more of the following applies:
 - (1) The proposed lots, blocks, streets, easements, or other design elements fail to meet applicable dimensional, layout, or design standards;
 - (2) The proposed subdivision does not provide adequate access, connectivity, or circulation for vehicles, pedestrians, bicycles, emergency services, or utilities;
 - (3) The proposed subdivision fails to provide or adequately address required public infrastructure, including water, wastewater, drainage, streets, sidewalks, or other required improvements, or would create lots or development patterns that are impractical to serve with public infrastructure or municipal services;
 - (4) The Preliminary Plat is inconsistent with the Comprehensive Plan, Thoroughfare Plan, Parks Master Plan, utility master plans, or other officially adopted plans or policies of the City;
 - (5) The proposed subdivision would create unsafe conditions or adversely affect public health, safety, or welfare;
 - (6) The Preliminary Plat does not adequately address floodplain management, drainage, environmental constraints, or other site-specific development limitations;
 - (7) Required easements, dedications, reservations, or rights-of-way have not been provided in accordance with applicable regulations;
 - (8) The application contains materially incorrect, incomplete, or misleading information; or
 - (9) The Preliminary Plat does not comply with any other applicable provisions of this UDC.
 - (ii) Signatures of the Planning Commission Chair, the Mayor, and the City Clerk shall be shown on the plat with the date of such approval.
- c. Effect of Approval
 - (i) Approval of the Preliminary Plat is authorization for the developer to proceed with the preparation of Construction Plans (or a Final Plat, if providing Performance Security in accordance with **26.03.020.F**).
- d. Expiration
 - (i) Preliminary Plat approval shall be effective for no more than two years from the date of approval. If a Final Plat application has not been submitted by the expiration date of the Preliminary Plat, the Preliminary Plat shall expire and a new Preliminary Plat application must be submitted for approval.
 - (ii) The Director of Engineering may authorize one 6-month extension, after which the applicant may apply to the Planning Commission for approval of subsequent extensions of up to 12 months each.
- e. Tentative Approval

Approval by the Planning Commission is revocable and does not constitute acceptance of any Final Plat of the proposed subdivision, but is to be considered only as approval of the preliminary design. The Commission may recommend modifications of any engineering or

construction details submitted by the developer, whenever required for the protection of the public interest and approved by the Director of Engineering.

f. Preliminary Plat Recordation

The accepted Preliminary Plat shall be kept on file in the office of the Director of Planning.

g. Modifications

Revisions to an approved Preliminary Plat may only be processed and approved as a new Preliminary Plat.

h. Subdivision Waivers

The Commission may approve subdivision waivers to modify any planning, engineering, or construction details submitted by the developer, whenever required for the protection of the public interest and recommended by the Director of Planning or Director of Engineering. See **26.03.030.G. Subdivision Waiver**.

C. Final Plat

1. Applicability

- a. No subdivision of land that is required to be platted shall occur without proper submittal and approval of a Final Plat.
- b. If plat improvements are to be installed, Construction Plans must be submitted in conjunction with a Final Plat. See **26.03.020.B. Approval of Construction Plans**.
 - (i) Exception: A Final Plat may be submitted and approved prior to Construction Plans and the construction of required improvements if Performance Security is provided in accordance with **26.03.020.F.1. Performance Security to Delay Required Improvements**.
- c. For residential development (development of single-family detached, single-family attached, and duplex units, built under the International Residential Building Code), a recorded Final Plat is required prior to the issuance of a Building Permit. For all other development, a recorded Final Plat is required prior to the issuance of a Certificate of Occupancy.

2. Application Submittals and Submittal Requirements

- a. All plat applications and related materials shall be submitted to the Director of Planning. The Director of Planning shall determine the completeness of all applications.
- b. All Final Plat submittals shall be in the form of and correctly contain all information and/or language required by the plat review checklist maintained by the Planning Department.

3. Review and Approval Process

- a. Development Review Team (DRT) Review and Recommendation
 - (i) The DRT will collaborate to review each Final Plat application and determine compliance with this UDC. The DRT may provide comments to the applicant until compliance with UDC requirements is determined. The DRT shall take one of the following actions:
 - (a) Recommend approval of the plat, or
 - (b) Recommend denial of the plat.
 - (ii) The DRT recommendation will be provided to the Planning Commission. The plat may then be considered for recommendation by the Planning Commission at a regular meeting for approval.
- b. Planning Commission Recommendation
 - (i) The Commission shall:

- (a) Review the Final Plat application, the recommendation of the DRT, and any other information available.
 - i. From all such information, the Commission shall determine whether the Final Plat conforms to the regulations of this UDC.
 - (b) Take one of the following actions:
 - i. Recommend approval of the Final Plat if it complies with the provisions of UDC and other regulations adopted by the City Council governing the subdivision of land; or
 - ii. Recommend denial of the Final Plat if it does not comply with the provisions of UDC and other regulations adopted by the City Council governing the subdivision of land.
- c. City Council Action
 - (i) The Final Plat shall proceed to the City Council for approval only if the Planning Commission has recommended approval, or upon written request by the applicant in the event the Commission has recommended denial.
 - (ii) The City Council shall take one of the following actions.
 - (a) Approve the Final Plat if it complies with the provisions of UDC and other regulations adopted by the City Council governing the subdivision of land; or
 - (b) Deny the Final Plat if it does not comply with the provisions of UDC and other regulations adopted by the City Council governing the subdivision of land.
 - (iii) Signatures of the Planning Commission Chair, the Mayor, and the City Clerk shall be shown on the plat with the date of such approval.
- d. Effect of Approval
 - (i) The approval of the Final Plat shall be valid for a maximum 2-year time period from the date of the City Council approval. If no work order has been approved by the Director of Engineering within 2 years, or the improvements are not constructed and accepted within 30 months, for the installation of subdivision improvements, a new hearing shall be required before the Planning Commission and City Council on any new Final Plat located on the area originally platted or reapproved as originally submitted. All current subdivision requirements and municipal fees, including, but not limited to, filing fees, inspection fees, utility capacity fees shall apply to any reapproval of the originally approved plat.
 - (a) The Director of Engineering may authorize one 6-month extension to the Final Plat.
 - (ii) Approval of the Final Plat (in addition to receiving a construction release and providing a maintenance bond) authorizes the applicant to begin construction of improvements.
 - (iii) Once the Final Plat has been approved, applicants may apply for commercial building permits; however, Certificates of Occupancy shall not be granted until the Final Plat is accepted and recorded.
- e. City Council Acceptance of Final Plat Mylar
 - (i) Following the completion and acceptance of improvements (see **26.03.020.E. Construction, Inspection, and Acceptance of Improvements**), the applicant shall submit a Mylar of the Final Plat for City Council acceptance.
- f. Final Plat Recordation
 - (i) The applicant shall file the accepted Final Plat with the Oklahoma County Clerk after approval.
 - (ii) Once the Final Plat is filed, residential building permits can be issued.

g. Modifications

- (i) Revisions to an approved Final Plat may only be processed and approved as a new Final Plat or with a Plat Vacation.

D. Lot Splits and Lot Line Adjustments

1. Lot Splits

a. Applicability

- (i) Lot Splits may include dividing or redividing a parcel of land into not more than two resulting parcels.
- (ii) The determination of eligibility for processing as a Lot Split shall be made from the records of the ownership of the property as of the date that these regulations are officially adopted.

b. Application Submittals and Submittal Requirements

- (i) All Lot Split applications and related materials shall be submitted to the Director of Planning. The Director of Planning shall determine the completeness of all applications.
- (ii) All Lot Split submittals shall be in the form required by the Unified Development Manual maintained by the Planning Department and shall correctly contain all information and/or language required by said Manual.

c. Review and Approval Process

- (i) The City Council and Planning Commission hereby empower the Director of Planning to approve lot split applications.
- (ii) The approved Lot Split shall be filed in accordance with **26.03.030.C.3.f.**

2. Lot Line Adjustments

a. Applicability

- (i) Lot Line Adjustments shall include changes to the precise location and dimension of recorded lot lines, as well as the dissolution of recorded lot lines resulting in the combination or consolidation of two or more lots into fewer lots.

b. Application Submittals and Submittal Requirements

- (i) All Lot Line Adjustment applications and related materials shall be submitted to the Director of Planning. The Director of Planning shall determine the completeness of all applications.
- (ii) All Lot Line Adjustment submittals shall be in the form required by the Unified Development Manual maintained by the Planning Department and shall correctly contain all information and/or language required by said Manual.

c. Review and Approval Process

- (i) The City Council and Planning Commission hereby empower the Director of Planning to approve Lot Line Adjustment applications.
- (ii) The applicant shall file the accepted Lot Line Adjustment with the Oklahoma County Clerk after approval, and provided recorded copies of said file to the City. The applicant shall record both the existing legal description and the proposed legal description.

E. Vacation of Plats and Replats

1. Plat Vacations

The procedures for vacating a recorded plat shall be in accordance with 11 O.S. § 42-101 et seq., as amended.

2. Replats

- a. Replatting shall be conducted according to the process for Final Plats established in **26.03.030.C**.
- b. Acceptance by City Council of a replat shall concurrently vacate the prior recorded plat.

F. Vacation of Rights-of-Way and Easements

1. Applicability

This section applies to all requests involving the vacation of public street or alley rights-of-way or easements.

2. Initiation

a. Property Owners

The request to vacate public rights-of-way or easements may be initiated by one or more property owners with an easement located on their property, or who are adjacent to a public right-of-way. Such requests shall be subject to review and approval in accordance with City procedures and 11 O.S. § 42-106, as amended.

b. City Council

The City Council may initiate a public right-of-way or easement vacation upon a determination that the proposed vacation does not conflict with the public interest and will not adversely affect public health, safety, or welfare. City-initiated vacation shall comply with the procedural requirements of 11 O.S. § 42-106, as amended.

3. Completeness

See **26.01.050.B.2.b**.

4. Notice and Hearings

a. Noticing shall comply with **26.01.050.G.**

b. A public hearing by the City Council is required and shall comply with **26.01.050.H.**

5. Decisions

a. Director Review

The Director of Engineering shall review the right-of-way or easement vacation request and distribute it to the DRT. Upon completion of the review, the Director of Engineering shall provide a recommendation to the Planning Commission to:

- (i) Approve the vacation request; or
- (ii) Deny the vacation request.

b. Planning Commission Review

The Planning Commission shall review and consider the right-of-way or easement vacation request in light of the recommendation of the Director of Engineering. The Planning Commission shall provide a recommendation to the City Council to:

- (i) Approve the vacation request; or
- (ii) Deny the vacation request.

c. City Council Action

The City Council shall review and consider the right-of-way or easement vacation request in light of the recommendation of the Planning Commission. The City Council shall then act to, in whole or in part:

- (i) Approve the vacation request;
- (ii) Deny the vacation request; or
- (iii) Approve the vacation request with conditions or modifications.

d. Standards

- (i) The City Council shall not approve a public right-of-way or easement vacation request unless it finds that all of the following criteria are satisfied:
 - (a) The proposed vacation is not contrary to public interest, including considerations of public health, safety, and welfare;
 - (b) Adequate and lawful access is maintained for all adjacent properties, existing parcels, and existing utilities; and
 - (c) Any potential environmental or drainage impacts associated with the vacation have been appropriately assessed and mitigated.
- (ii) If any active or inactive utility infrastructure is located within the right-of-way proposed for vacation, the City shall require the dedication of a utility easement in lieu of the right-of-way or the relocation of affected utility facilities, subject to review and approval by the affected utility provider(s).

6. Subsequent Applications

Not applicable.

7. Appeals

Not applicable.

8. Scope of Approval

Unless otherwise provided by law, ordinance, or recorded instrument, title to the vacated right-of-way shall revert in equal portions to the owners of adjacent properties. Such reversion shall be effectuated by a separate instrument of conveyance or by operation of law. The Director of Planning shall review the original plat dedicating the right-of-way, any existing access conditions, and the written preferences of adjacent property owners to determine the appropriate method and extent of reversion.

9. Recordkeeping

The City Clerk shall record the ordinance of public right-of-way or easement vacation with the County Clerk within 100 days following City Council approval.

G. Subdivision Waiver

1. Purpose

The purpose of a petition for a Subdivision Waiver is to request that a specific requirement or requirements of the Subdivision Requirements of this UDC be modified. The intent of these provisions is to allow flexibility in development that exhibits unique circumstances.

2. Submittal Requirements

- a. If the review of the application determines that a waiver is needed, the applicant shall submit a written request upon notification. No Subdivision Waiver may be granted unless the applicant has made such written request.
- b. A Subdivision Waiver petition shall be specific in nature and shall only involve relief consideration for one specific requirement. An applicant may submit more than one Subdivision Waiver petition if there is more than one standard or requirement at issue.
- c. The applicant's request shall state the grounds for the Subdivision Waiver request meeting the decision criteria in **4. Subdivision Waiver Criteria**.

3. Decision-Maker and Action

Following review and recommendation by the Director of Planning, the Planning Commission shall decide all Subdivision Waivers.

4. Subdivision Waiver Criteria

a. Undue Hardship Present

A Subdivision Waiver may be approved only when, in the Planning Commission's opinion, undue hardship will result from strict compliance with the regulations. Financial hardship alone to the applicant shall not constitute undue hardship. The applicant bears the burden of proof to demonstrate that the requirement for which a Subdivision Waiver is requested imposes an undue hardship on the applicant or that the proposed modification results in a better construction solution.

b. Minimum Degree of Variation

No Subdivision Waiver shall be granted unless it represents the minimum degree of variation of requirements necessary to meet the objective of the applicant in requesting the waiver.

c. Additional Consideration Factors

The Planning Commission shall consider the following factors:

- (i) The effect such Subdivision Waiver might have on traffic and mobility conditions and the public health, safety, convenience, and welfare in the vicinity;
- (ii) Special circumstances affecting the land or other physical conditions of the property such that the strict application of these Subdivision Regulations would deprive the applicant of the reasonable use of their land;
 - (a) Reasonable use in this instance does not include parking in excess of parking maximums.
- (iii) The necessity of the Subdivision Waiver for the preservation and enjoyment of a substantial property right of the applicant, and that the granting of the Subdivision Waiver will not be detrimental to the public health, safety, or welfare or injurious to other property in the area; and
- (iv) The Subdivision Waiver will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this UDC.

d. Violations and Conflicts

The Planning Commission shall not authorize a Subdivision Waiver that would constitute a violation of, or conflict with, any other valid ordinance, regulation, or Plan adopted by the City Council.

5. Expiration and Extension

- a. The approved Subdivision Waiver shall remain in effect for the period the Preliminary Plat is in effect and shall expire upon expiration of said Preliminary Plat.
- b. Extension of the Preliminary Plat application shall also result in the extension of the Subdivision Waiver.

Chapter 26.04. Site Design and Development Standards

26.04.010. Zoning Development Standards

A. Generally

1. Purpose

This Chapter establishes uniform standards for the development and improvement of property throughout Edmond to ensure quality development that is consistent with the Comprehensive Plan.

2. Applicability

This Chapter applies to all new development, expansions, and redevelopment, and all other improvements to property as determined by the Director of Planning or their designee within the corporate limits of Edmond unless otherwise specified.

B. Dimensional Regulations

1. Purpose

The purpose of this Section is to establish the general rules and exceptions for required lots, yards, setbacks, and height requirements.

2. Applicability

This Section applies to any lot, yard, setback, and height required by this UDC.

3. Universal Standards

a. Number of Buildings per Lot

(i) Single-Family and Two-Family Residential Uses

Only one principal building for single-family, townhome, or two-family residential uses with permitted accessory buildings is allowed on a lot, unless specified otherwise in this UDC.

(ii) Nonresidential and All Other Uses

Where a lot is used for multi-family, nonresidential uses, or a combination of those uses, more than one principal building may be located upon the lot, but only when conforming to all applicable requirements to those uses and the zoning district in which it is located, unless specified otherwise in this UDC.

b. Lot Area and Dimensions

(i) A lot that was legally created prior to the adoption of this UDC may be redeveloped, but any deviations from the dimensional standards other than minimum lot area shall require a variance unless located within an infill development.

(ii) No lot shall be created or reduced in area, width, or depth below the minimum requirements established in **26.02.020** except as established herein.

4. Setback and Yard Regulations

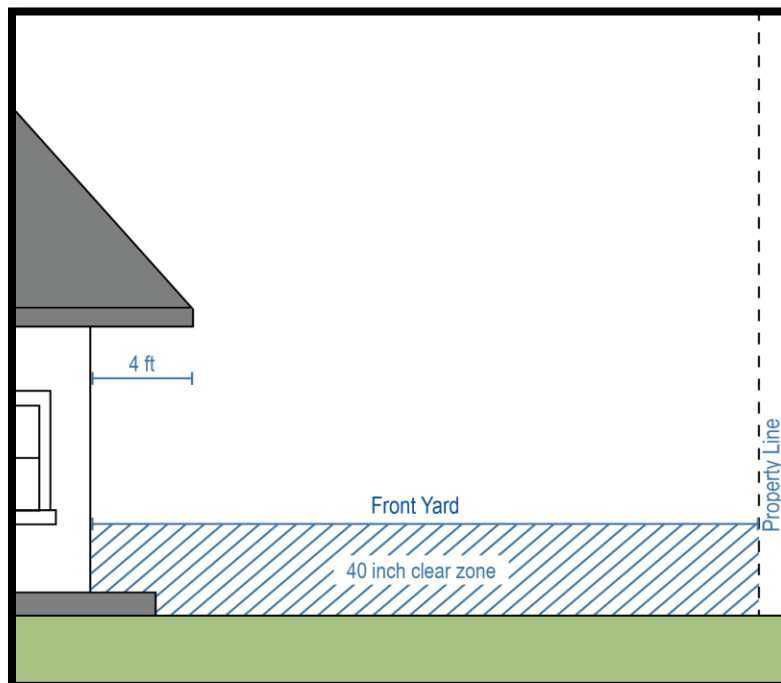
a. Generally

- (i) Every part of a required yard shall be unoccupied and unobstructed by any portion of the principal building from the ground upward, except as provided.
- (ii) In measuring a setback, the shortest distance between a lot line and the building applies.
- (iii) For any yard abutting a street, the setback shall be measured from either the nearest edge of the right-of-way or the lot line, whichever results in the greater distance.
- (iv) Required yard means that portion of any yard constituting the minimum area required in any zoning district, but excluding that portion of the yard in excess of the minimum required area.
- (v) Measurements for setbacks on flag lots (see **26.04.020.A.5**) shall occur where the front property line intersects with the “pole” portion of the lot.

b. Front Yard Regulations

- (i) The front yard shall be open and unobstructed from a point 40 inches above the general ground level of the graded lot to the sky. Eaves and roof extensions may project into the required front yard for a distance not to exceed 4 feet unless located within an infill development. Subsurface structures, platforms, or slabs shall not project into the front yard for a distance greater than 4 feet, nor to a height greater than 40 inches above the average grade of the yard.

Figure 04-1: Front Yard Roof Extensions

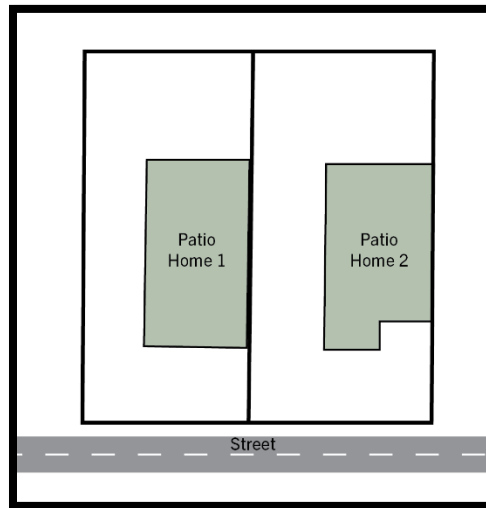


- (ii) Where a building line has been established on a plat approved after the effective date of this UDC that deviates from the setback prescribed by this UDC, the required front yard shall comply with the building line established by that plat, provided such building line is consistent with applicable zoning regulations.

c. Side Yard Regulations

- (i) Every part of a required side yard shall be open and unobstructed except for the ordinary projections of window sills, belt courses, cornices, and other architectural features projecting not to exceed one foot into the required side yard and roof eaves projecting not to exceed 4 feet into the required side yard. A fence (in accordance with **26.04.010.G**) may be constructed on the property line adjacent to a side yard.
 - (ii) Mechanical equipment such as air conditioning compressors, swimming pool pumps and filters, and similar devices may be installed in the side yard at a maximum height of 5 feet above the ground level of the graded lot to the sky.
 - (iii) Where a side property line divides a nonresidential zoning district from a residential zoning district, a minimum 15-foot side yard is required for the nonresidential lot side adjacent to that residential district.
- d. Rear Yard Regulations
 - (i) Every part of a required rear yard shall be open and unobstructed to the sky from a point 40 inches above the ground level of the graded lot, except for permitted accessory buildings and the ordinary projections of window sills, belt courses, cornices, roof overhangs, and other architectural features projecting not to exceed 4 feet into the required rear yard. A fence (in accordance with **26.04.010.G**) may be constructed on the property line adjacent to a rear yard.
 - (ii) Mechanical equipment such as air conditioning compressors, and similar devices may be installed in the rear yard at a maximum height of 5 feet above the ground level of the graded lot to the sky.
 - (iii) When abutting an alley, the rear yard setback for principal and accessory structures shall be 20 feet.
- e. Corner Side Yard Regulations
 - (i) A corner lot is a lot located at the intersection of two or more streets, with frontage on each street.
 - (ii) On a corner lot, the yard abutting the street with the longest continuous frontage shall be designated as the corner side yard.
 - (iii) The yard abutting the other street frontage, adjacent to the corner side yard, shall be designated as the front yard.
- f. Patio Homes, Duplexes, and Townhomes:
 - (i) The following dimensional standards apply to Patio Homes, Duplexes, and Townhomes:
 - (a) Patio Homes

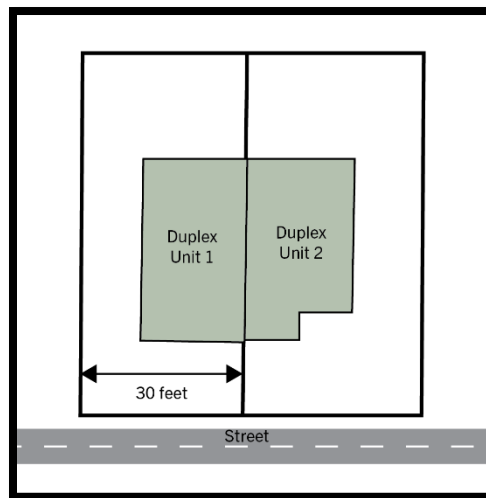
Figure 04-2: Patio Home Dimensional Standards



- i. No side yard setback is required on one side of the structure, provided that the opposite side yard meets the minimum setback requirements of the applicable zoning district.
- ii. Where a zero-lot line side of a patio home unit is adjacent to a lot line abutting a different development or land use type, a side yard setback meeting the minimum requirements of the applicable zoning district shall be provided on that side.

(b) Duplexes

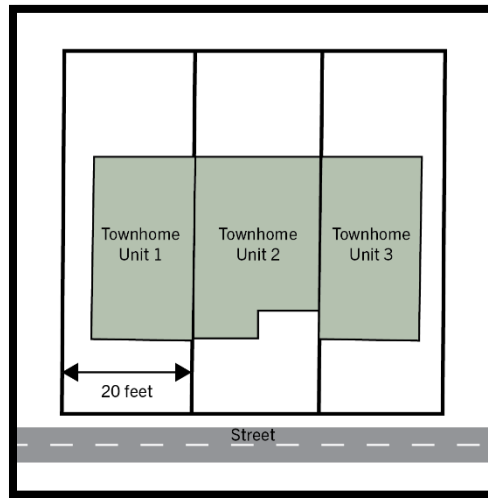
Figure 04-3: Duplex Dimensional Standards



- i. For duplexes on separate lots, no side yard setback is required for the side with an adjoining wall.
- ii. For duplexes on separate lots, the minimum lot width is reduced to 30 feet, or the established lot width minimum for that zoning district, whichever is narrower.

(c) Townhomes

Figure 04-4: Townhome Dimensional Standards



- i. The interior sides with adjoining walls do not require an interior side yard setback. The exterior side yard must meet the requirements of the applicable zoning district.
- ii. The minimum lot width is reduced to 20 feet, or the established lot width minimum for that zoning district, whichever is narrower.

5. Infill Development

a. Purpose

The purpose of this Section is to accommodate and encourage compatible development in existing developed areas, while preserving the established character of those areas and mitigating adverse impacts on adjacent properties.

b. Applicability

This Section applies to all development and redevelopment within Edmond's corporate limits unless otherwise specified. Where conflict exists between this Section and **26.04.010.J**, the latter shall control.

c. Generally

- (i) Infill development shall incorporate architectural elements that are compatible with the desirable character of adjacent properties on either side of the block face and shall not replicate architectural features that conflict with the standards of this UDC.
- (ii) The relationship between height, width, material, and style of existing façades shall be respected in infill development.

d. Lot Size

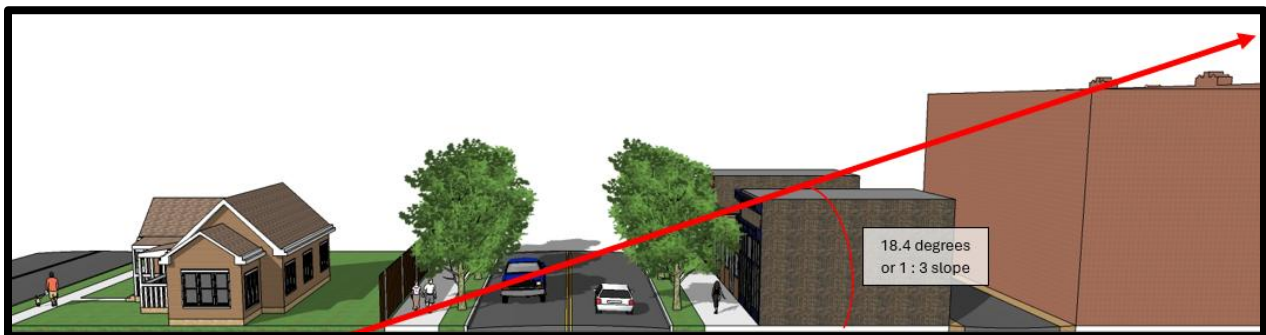
- (i) Generally, infill development lots shall adhere to the required minimum lot size of the zoning district in which it is located.
- (ii) Otherwise, the required minimum lot size may be adjusted according to the standards established in **26.04.010.J.3.b(i)(a)**.

e. Setbacks

- (i) Generally, infill development shall adhere to the required setbacks of the zoning district in which the structure is to be located.
- (ii) Otherwise, setbacks shall adhere to the infill development setback standards established in **26.04.010.J.3.b**.

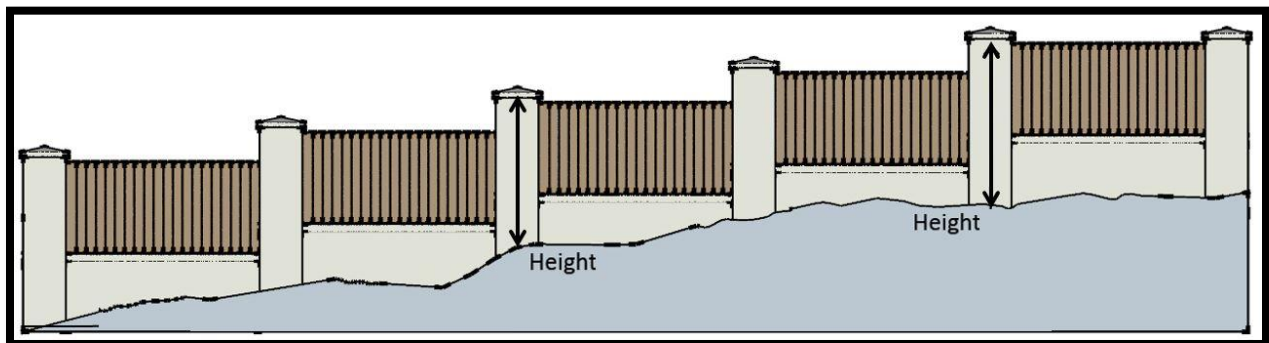
- f. Building Height and Massing
- (i) Generally, infill development shall meet the required maximum building height of the zoning district in which the building is located.
 - (ii) Otherwise, infill development shall adhere to the standards established in **26.04.010.J.3.**
 - (iii) Residential Compatibility Slope
 - (a) This section shall apply to all new development or building enlargements within 200 feet of a Suburban-Residential (S-RE) zoning district.
 - (b) In addition to the requirements for each zoning district, building height shall be limited by a Residential Compatibility Slope.
 - (c) Development shall not exceed a slope of 1 unit of vertical rise for every 3 units of horizontal distance, measured from the property line of the nearest S-RE district zoned property, as shown in **Figure 04-5: Residential Compatibility Slope.**

Figure 04-5: Residential Compatibility Slope



- (iv) Walls and Fences
- The height of a wall or fence is the vertical distance from the grade level of that portion of a lot immediately abutting a wall or fence to the highest point of the wall or fence, as shown in **Figure 04-6: Wall and Fence Height Measurements.**

Figure 04-6: Wall and Fence Height Measurements



6. Sight Visibility Triangle
- a. Generally
 - (i) These provisions apply to all new development or proposed expansions into the sight visibility triangle. However, these provisions do not apply to or otherwise interfere with the placement and maintenance of traffic control devices under governmental

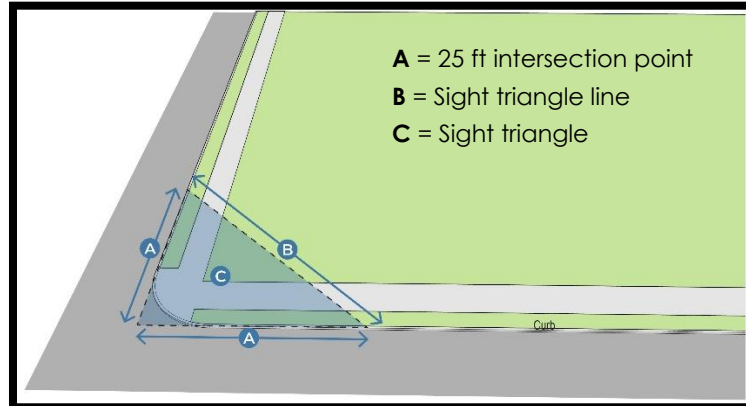
authority and control and public utilities; existing screening and fencing requirements; and existing and future City, state, and federal regulations.

- (ii) Obstructions are prohibited at elevations between 2.5 feet and nine feet above the average street grade within the sight triangle. Prohibited obstructions include any fence, wall, screen, billboard, sign, temporary sign, structure, or any other object.
- (iii) No planting shall be permitted to interfere with the sight triangle between the heights of 2.5 and nine feet as measured from the corner of the adjacent public rights-of-way. However, trees having limbs and foliage trimmed in such a manner that no limbs or foliage extend into the unobstructed visual clearance shall be allowed, provided they are located so as not to create a traffic hazard as determined by the Director of Engineering or their designee.
- (iv) At intersections where streets do not intersect at or near right angles, the Director of Engineering or their designee shall have the authority to modify the minimum sight distances required above as they deem necessary to provide safety for both vehicular and pedestrian traffic.

b. Arterial, Collector, and Local Street Intersections

At all intersections where arterial, collector, and local streets, whether public or private, intersect at or near right angles, the sight visibility triangle shall be the area formed by extending the two sight triangle lines from their point of intersection at least 25 feet along the back-of-curb and connecting these points with an imaginary line, creating a triangle (see **Figure 04-7: 25-Foot Sight Visibility Triangle**).

Figure 04-7: 25-Foot Sight Visibility Triangle



c. Alleyway Intersections

At all intersections where alleyways intersect at or near right angles, the sight visibility triangle shall be the area formed by extending the two sight triangle lines from their point of intersection 15 feet along the back-of-curb and connecting these points with an imaginary line, creating a triangle.

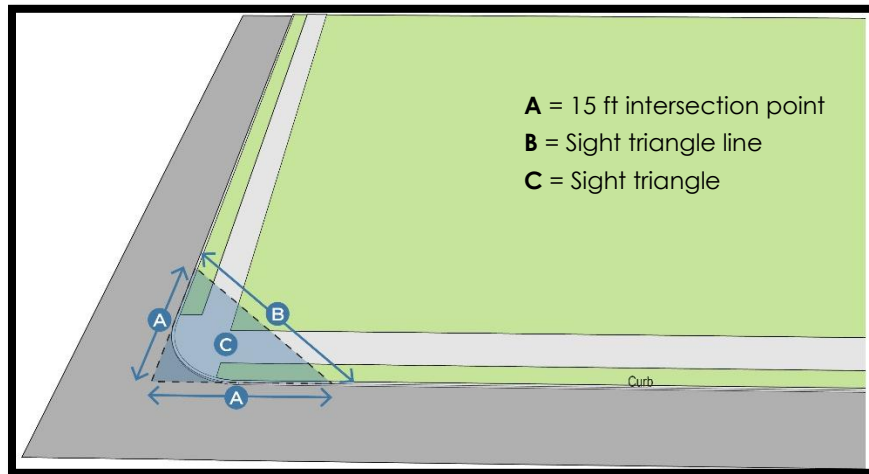
d. Driveway Intersections

At all intersections where a driveway intersects at or near a right angle, the sight visibility triangle shall be the area formed by extending the sight triangle line and driveway sight triangle line from their point of intersection 15 feet along the back-of-curb and driveway and connecting both with an imaginary line, creating a triangle.

e. Other Intersections

At other intersections where local streets and private streets intersect at or near right angles, the sight visibility triangle shall be the area formed by extending the two sight triangle lines from their point of intersection at least 15 feet along the back-of-curb and connecting these points with an imaginary line, creating a triangle (see **Figure 04-8: 15-Foot Sight Visibility Triangle**).

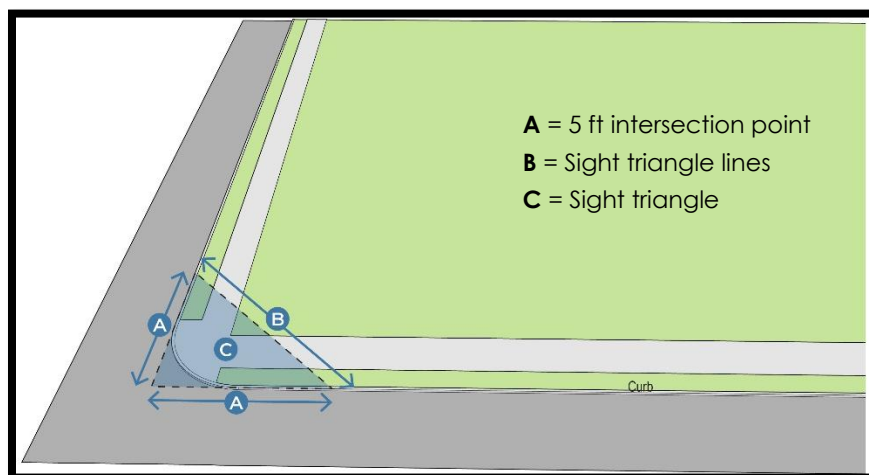
Figure 04-8: 15-Foot Sight Visibility Triangle



- f. In the Urban Core (U-CR) and Urban Transition (U-TR) Districts

At all intersections where roadways intersect at or near right angles, the sight visibility triangle shall be the area formed by extending the two sight triangle lines from their point of intersection along the back-of-curb at least five feet to the back of the sidewalk and connecting these points with an imaginary line, creating a triangle, as in **Figure 04-9: U-CR and U-TR Sight Visibility Triangle**.

Figure 04-9: U-CR and U-TR Sight Visibility Triangle



C. Parking

1. Purpose

The purposes of these regulations are to:

- a. Ensure that adequate off-street parking is provided for new land uses and changes in use;
 - b. Minimize the negative environmental, development design, and safety impacts that result from parking areas, driveways, and drive aisles;
 - c. Offer flexibility with reduced parking while ensuring that parking areas can support their associated context area;
 - d. Establish standards and regulations for safe and well-designed parking and vehicle circulation areas that minimize conflicts between pedestrians and vehicles;
 - e. Mitigate heat island effects generated by large expanses of impervious surface areas;
 - f. Ensure compliance with provisions of the 2009 ICC A117.1 and the Americans with Disabilities Act (ADA);
 - g. Minimize the visual impact of off-street parking areas; and
 - h. Ensure that adequate off-street bicycle parking facilities are provided.
2. Applicability

This section pertains to:

 - a. Any new or redeveloped building, structure, use, or redeveloped site where permanent parking is required, except as provided in **26.04.040.B.10.**
3. Universal Standards
 - a. Compliance Required
 - (i) Parking Review

Each application for platting, Site Plan, or building permit shall include information as to the amount, location, and dimensions of parking space, and the means of ingress and egress to those spaces. This information is in sufficient detail to determine the requirements of this UDC are met and shall contain necessary information required by applicable provisions of this UDC.
 - (ii) ADA Compliance

All ADA parking spaces and related ADA accessibility features are required to be installed in accordance with the current edition of the ADA Standards for Accessible Design (the “ADA Standards”) as published by the U.S. Department of Justice, Chapter 11 of the International Building Code (IBC), and the International Code Council (ICC) A117.1 Accessible and Usable Buildings and Facilities standards. All required parking shall meet the ADA Standards, Chapter 11 of the IBC, and ICC A117.1 standards. ADA-required parking shall not be located off-site under any circumstances.
 - b. Rules for Computing Space Requirements

The following rules apply when computing parking space requirements:

 - (i) Multiple Tenant Sites
 - (a) Non-residential or mixed-use developments containing more than one use shall provide spaces in an amount equal to 75% of the requirements for all uses.
 - (ii) Fractions

When measurements of the number of required spaces result in a fractional number, any fraction of one-half or less shall be rounded down to the next lower whole number and any fraction of more than one-half shall be rounded up to the next higher whole number.
 - (iii) Area Measurements

All square-footage-based space requirements shall be computed on the basis of gross floor area, which shall be measured from the exterior faces of exterior walls or from the

centerline of walls separating two buildings. Gross floor area shall also include the area of each floor of a structure and all attic space used for active commercial purposes.

(iv) Shared Parking

- (a) Shared parking allows parking spaces to be shared between two or more uses that typically experience peak parking demands at different times and that are located on the same lot or on lots within 600 feet of each other.
- (b) Shared parking shall count towards required parking.
- (c) Shared parking spaces shall not be used to satisfy parking requirements for low-density residential uses (except for guest parking).
- (d) When shared parking is proposed, a signed affidavit between the property owners detailing the conditions of the shared parking agreement shall be provided and filed with the City. When there is shared parking proposed with multiple tenants of a building with the same owner, a signed affidavit between those tenants detailing the conditions of the shared parking agreement shall be provided and filed with the City. This requirement is met by submitting a signed and notarized affidavit and attaching a plan that depicts the location of (1) shared parking spaces, (2) the number of required spaces for each shared use, and (3) a description of how shared parking will function onsite.
- (e) For the purposes of calculating the required number of ADA parking spaces, each parking facility that serves a distinct tenant, portion of a building, or separate building on the same site shall be calculated individually in accordance with ADA Standards for Accessible Design, Chapter 11 of the IBC, and ICC A117.1 standards, regardless of any shared parking arrangement.

c. Flexible Maximum Off-Street Parking Requirements

All development shall provide off-street parking as provided in Table 02-3: Use Table. Maximum parking ratios are provided by use. The applicant retains the ability to determine adequate off-street parking by providing any parking ratio at least half of the maximum ratio and at most equal to the required maximum. For example, a use necessitates a 4/1,000 square foot maximum. The applicant may park the site at any ratio between half of the maximum ratio (2/1,000 square feet) and the required maximum ratio (4/1,000 square feet), including fractional ratios (2.5/1,000 square feet).

d. Parking Area Design

(i) Generally

- (a) Parking may be located in the front, rear, side, or a combination of the three on a lot.
- (b) Parking may be provided in the form of a surface lot/paved open area, a multilevel structured parking facility, or inside an appropriately designed building or portion of a building. Parking spaces may also be provided in a garage.
- (c) Downtown, on-street parking spaces may be located in the front or side yards of buildings. Parking lots for downtown shall only be located in the rear of the building.

(ii) Parking Dimensional Standards

- (a) The minimum drive aisle widths, parking space width and length, and orientation shall be as provided in **Table 04-1: Parking Dimensional Standards**.

Table 04-1: Parking Dimensional Standards

Parking Angle	Aisle Width (min.)		Space Width (min.)	Space Length (min.)
	One Way	Two Way		
90°	24 ft	12 ft	8.5 ft	19 ft
60°	14 ft 6 in	11 ft	8.5 ft	19 ft
45°	12 ft 8 in	10 ft	8.5 ft	17 ft 8 in
30°	12 ft 8 in	10 ft	8.5 ft	17 ft 8 in
Parallel	15 ft	24 ft	8.5 ft	22 ft

(iii) Access

- (a) Parking spaces shall not have direct access to a public right-of-way.
- (b) Access to required spaces shall be provided by on-site driveways.
- (c) Spaces shall be accessible without backing into or otherwise reentering a public right-of-way.

(iv) Markings

- (a) Markings shall be installed and maintained in a manner consistent with the *Unified Development Manual*.

(v) Surfacing

- (a) All site area used for parking space and aisle purposes shall be paved with a sealed surface pavement, and maintained in such a manner that no surface cracking, faded striping/markings, lack of drainage, or dust shall be allowed on the surface produced by continued use.
- (b) The design of surface parking facilities shall meet the standards of this Section.
- (c) Surface Parking Facilities shall provide the required landscaping and be designed in accordance with **26.04.010.C.3.d**.

(vi) Structured Parking Facilities

(a) Generally

- i. Vehicular access points to structured parking facilities shall not exceed thirty-five (35) feet in width.
- ii. The height of structured parking shall not exceed the building height requirement specified in the applicable zoning district.
- iii. A minimum of 25% of all façades, for the first two stories, shall be covered with vegetative wall screening consistent with **26.04.010.F.3.c(ii)**.

(b) Above-Grade Parking

If the above-grade structured parking facility is not effectively shielded from the street by a building or other structures, then the above-grade structured parking facility shall:

- i. Be designed to be consistent in terms of design, architecture, details, and treatment as with principal structures in the development;

- ii. Provide façade treatments such as cladding, articulation, or fenestration that integrates or complements the architectural characteristics of the habitable portion of the building and the surrounding development context. Openings for natural ventilation are permissible when integrated into the façade design.
- iii. Provide ground-floor windows along the street frontages to prohibit long expanses of blank walls. Any wall fronting a street must contain windows, doors, or display areas equal to at least twenty-five percent (25%) of the ground floor wall area fronting the street. This excludes portions of wall faces devoted to vehicular access points, stairwells, elevators, escalators, and booths.

Figure 04-10: Example of Structured Parking Facilities



(c) Below-Grade Parking

- i. All below-grade parking shall not be visible from the surface of the earth.
- ii. Parking that is completely below grade may extend beyond the façade of the building.
- iii. Below-grade parking shall not encroach into the right-of-way.

e. Excess Spaces

If an applicant desires parking spaces in excess of the maximum number allowed for a particular use in **Table 02-3: Use Table**, tree plant units in addition to those required in

26.04.030.C shall be provided on the site. Ten (10) additional Type 1 or 2 shade tree plant units shall be provided for every two (2) excess parking spaces.

f. Bicycle Parking Requirements

(i) Generally

- (a) Bicycle parking facilities shall comply with the standards of this UDC and are required for any:
 - i. New non-residential,
 - ii. multifamily residential,
 - iii. mixed-use building, structure, use, or
 - iv. redeveloped site.
- (b) Required bicycle parking shall be designed so people of all ages and abilities can access the bicycle parking and securely lock their bicycle without inconvenience.
- (c) Bicycle spaces are measured as the ability for a facility to store one bicycle, and shall accommodate a bicycle at least 6 feet long and 2 feet wide. One bicycle space equals one stored bicycle.
- (d) A minimum of fifteen (15) tree plant units shall be provided for every five (5) bicycle parking spaces, located within ten (10) feet of the bicycle parking area.
- (e) A bicycle parking facility shall not obstruct pedestrian traffic or interfere with the use of the pedestrian area.
- (f) Bicycle parking facilities shall be designed and maintained to provide a stable, durable surface that minimizes mud, dust, and similar conditions.
- (g) A durable hard surface is required, but alternative paving material may be used, including gravel or stone, provided that edging materials such as landscape timbers, curbing, or other similar material and techniques are used so that the bicycle parking area is clearly demarcated and the rock material is contained.

(ii) Required Minimums

Minimum bicycle parking shall follow the requirements as established in **Table 04-2: Minimum Bicycle Parking Ratios**.

- (a) No development shall be required to provide more than 36 spaces; however, additional spaces may be provided.

Table 04-2: Minimum Bicycle Parking Ratios

Component	Description
Residential	
Fourplex	1 bicycle parking space provided for the first 8 car parking spaces + 1 bicycle space for each subsequent 10 car spaces provided
Cottage Court	
Multi-Family Dwelling	
Rooming/Boarding House	
Nonresidential	
Public and Civic	1 bicycle parking space provided for any parking area containing at least 5 car spaces + 1 bicycle space for each subsequent 10 car spaces provided
Commercial	1 bicycle parking space provided for any parking area containing at least 5 car spaces + 1 bicycle space for each subsequent 5 car spaces provided

Component	Description
Industrial	1 bicycle parking space provided for any parking area containing at least 5 car spaces + 1 bicycle space for each subsequent 25 car spaces provided
Agricultural	N/A

(iii) Bicycle Parking Facility Types

- (a) Installed bicycle parking shall be a permitted facility type listed within the most recent copy of the *Unified Development Manual*.
- (b) Where bicycle parking is required, only one bicycle parking facility type is permitted on a single site.
- (c) Grid, comb, toast, wave, and other rack types that only provide a single locking point, especially a wheel, are prohibited.

(iv) Bicycle Facilities

(a) Generally

A bicycle facility shall:

- i. Allow a bicycle frame and one wheel to be locked to the rack with a high-security lock and allow a bicycle to be securely held with its frame supported in at least one place;
- ii. Hold a bicycle in an upright and stable position;
- iii. Be durable and securely anchored to the ground or building;
- iv. Have a locking surface thin enough to allow standard U-locks to be used, but thick enough so the rack cannot be cut with bolt cutters; and

(b) Installation

A bicycle facility shall be:

- i. Available to the public;
- ii. Located in a convenient, well-lit area that is clearly visible to both a visitor to the building and a person who is on the sidewalk that accesses the building's primary entrance; and
- iii. Located in a manner that maintains required fire department access clearance to the principal structure.
- iv. Within 150 feet of:
 - (1) The primary entrance of each building, and closer than the nearest vehicle parking space; or
 - (2) At least one primary entrance of a building with multiple entrances; unless an alternative location during the Site Plan process is approved; and
 - (3) Outfitted with specialty racks, tamper-proof mounting, or active video surveillance such that a bicycle can be safely and securely locked.
- v. For high-density residential development, bicycle storage facilities shall be provided at a rate of at least one bike storage space per 25 vehicle parking spaces, in well-lit areas, and distributed throughout the development within 150 feet of any building entrances.

g. Electric Vehicle (EV) Parking Spaces

- (i) Required off-street parking spaces may be satisfied with EV spaces. If EV spaces are provided, the following requirements shall apply:

(a) Size

An electric vehicle charging station parking space must meet the size of a parking space as required by this UDC.

(b) Installation and Equipment

- i. Electric vehicle charging station equipment, installation and placement must comply with the City's adopted building and fire codes.
- ii. The required installation and equipment shall include electrical conductors, related equipment, software, and communications protocols that deliver energy efficiently and safely to the electronic vehicle, and signage.
- iii. The necessary service panel shall include an over-current protective device and provide sufficient capacity and space to accommodate the circuit and over-current protective device, with the termination point located within 30 feet of the electric vehicle parking space. This panel shall be installed in accordance with the adopted building code and the NESC.
- iv. Electric vehicle spaces shall be marked with a permanent and visible sign located in a conspicuous place at the service panel to identify each panel space reserved to support electric vehicles.

(c) Accessible Facilities

Accessible electric vehicle charging stations are required, and shall be located within 100 feet of the building or facility entrance and connect to a barrier-free accessible route of travel.

- (ii) High-density residential developments shall provide the necessary conduit, spacing, and transformer pad clearance so that EV charging can easily be installed in the future.

4. Urban Context Area Standards

a. Required Parking for Nonresidential Uses

(i) Parking Ratios Not Required

Nonresidential Uses in the Urban Context Area shall not be required to construct off-street parking in excess of any that may already exist on the property.

(ii) On-Street Parking

- (a) On-street parking consists of parking spaces located in a public or private right-of-way, accessed from the street.
- (b) Each parking space that is in a public right-of-way, or publicly available parking structure, within 750 feet of the lot along existing pedestrian facilities, may count as a required parking space for the purpose of meeting the requirements of this Section.
- (c) Each parking space must be on a paved area abutting or within the public right-of-way. If it is in a public right-of-way, then it shall not prohibit or limit access for emergency service vehicles as required by the Director of Building and Safety.

(iii) Availability of Public Parking

- (a) The parking requirements of this Section may be met if a property has available to it a supply of existing public parking spaces in off-street public parking lots or structured parking facilities.
- (b) The required parking area must be within a maximum walking distance of 750 feet from the proposed use.

b. Parking Placement

No more than 25 percent of parking shall be located in the front of the building. The balance of the parking spaces shall be provided behind or next to the building as on-street parking or public parking in accordance with **26.04.010.C.4.a(ii)** and **26.04.010.C.4.a(iii)**.

5. Corridor Context Area Standards

a. Parking Ratios Not Required

A parking study may be provided in conjunction with a Site Plan to specify the amount of required off-street parking.

D. Loading and Vehicle Stacking

1. Purpose

The purposes of this Section are to:

- a. Ensure that adequate loading facilities are provided for newly created land uses;
- b. Establish standards and regulations for safe and well-designed loading and unloading to minimize conflicts between pedestrians and vehicles within parking areas and surrounding land uses; and
- c. Minimize other impacts associated with loading/unloading operations.

2. Applicability

- a. Any new nonresidential building, structure, use, redeveloped site, or enlarged or expanded existing building or use as identified in **Table 02-3: Use Table**, must meet this Section's requirements unless specifically exempted.
- b. This Section does not apply to residential, accessory, or temporary uses.

3. Universal Standards

a. Loading

(i) Loading Spaces Required

The minimum required number of off-street loading spaces is determined by gross floor area. Outdoor storage, sales, or display areas must be added to gross floor area if these areas contain materials that are received or distributed by trucks. If a development has more than two uses, the off-street loading space requirement is the highest number of spaces required by any one use. Required loading spaces follow the standards provided in **Table 04-3: Loading Requirements**.

Table 04-3: Loading Requirements

Use	Floor Area Square Footage	Number of Loading Spaces Required
Nonresidential Uses	<5,000	None
	5,000 – 25,000	1
	25,001 – 75,000	2
	75,001 – 150,000	3
	>150,000	4 + 1 per 100,000 square feet above 150,000 square feet

(ii) Location

A loading space is:

- (a) Located within the same development as the building or use served;
- (b) Prohibited from projecting into a sidewalk, street, or public right-of-way;
- (c) Prohibited from being located between the front building line and the front property line;
- (d) Located to the rear or side of the building in a visually unobtrusive arrangement;
- (e) Set back a minimum distance of 100 feet from any adjacent residential zoning district or use unless completely enclosed by building walls, a uniformly solid wall, or any combination of the two; and
- (f) Set back a minimum distance of 40 feet from any public street, nearest point of intersection on any two streets or highway, or front property line.

(iii) Dimensions

- (a) Unless otherwise specified, all off-street loading spaces shall have a minimum dimension of 12 feet by 35 feet and an overhead clearance of 15 feet.
- (b) In no case shall required off-street loading spaces encroach upon off-street parking spaces required by this Section, or upon the public right-of-way.

(iv) Maneuvering

- (a) Each maneuvering area for loading spaces must not conflict with parking spaces or with the maneuvering areas for spaces.
- (b) A maneuvering area must be located on-site and have a minimum of 40 feet for spaces serving delivery vehicles.

(v) Design

- (a) Each loading space shall minimize conflicts with other vehicular, bicycle, and pedestrian traffic.
- (b) Loading spaces shall be designed so that vehicles shall maneuver entirely within the property lines of the premises and not on public right-of-way.
- (c) Any loading areas not enclosed shall be permanently paved with asphalt or concrete pavement.
- (d) A 6-inch header curb must be constructed, meeting 200 ICC A117.1 specifications, to separate a loading area from public right-of-way.
- (e) Screening requirements in **26.04.010.F** apply to loading facilities and shall prevent direct views of the loading facilities and their driveways from adjacent properties and public right-of-way.

b. Stacking

The following minimum vehicle stacking requirements shall apply unless otherwise modified and approved by the Planning Commission. Additional stacking spaces may be required where trip generation rates suggest such spaces are needed. The Director of Planning shall review all stacking Site Plans and may approve them administratively when the proposal complies with the adopted minimum requirements. Proposals that include a modification to the minimum requirements, or that otherwise involve significant traffic or safety impacts as determined by the Director of Planning, shall be forwarded to the Planning Commission for consideration.

(i) Minimum Stacking Spaces

Off-street stacking spaces shall be as provided in **Table 04-4: Minimum Stacking Requirements**.

Table 04-4: Minimum Stacking Requirements

Activity Type	Minimum Stacking Spaces	Measured From
Automated teller machine	2	Machine
Automobile service	1	Entrance to stall
Bank teller lane	3	Teller window
Carwash stall, automated	3	Entrance to wash bay
Carwash stall, self-service	2	Entrance to wash bay
Gasoline pump island	2	Pump island
Parking area, controlled entrance	4	Key code box
Pharmacy pickup	3	Pharmacy window
Restaurant drive-thru	4	Order box/ to pickup window
Other	Determined by City	

(ii) Stacking Design

- (a) Required stacking spaces shall be a minimum of 8 feet by 18 feet in size.
- (b) Stacking spaces shall not impede any traffic movement or movement into and out of parking spaces.
- (c) Stacking/drive-thru spaces shall not encroach upon or prohibit on-site dumpsters from being serviced.

(iii) Location of Stacking lane

Stacking lanes shall be located at the side or rear of buildings and shall be designed to prevent spill over traffic into access drive aisles or fire lanes.

4. Urban Context Area Standards

a. On-Street Loading

- (i) A loading space or any associated facility shall be located behind the building on-site or within an alley, unless utilizing the street on which the building fronts.
- (ii) On-street loading is only allowed between the hours of 10:00 p.m. and 6:00 a.m.
- (iii) The above restrictions shall not apply to passenger loading areas or activities.

E. Form Standards

1. Purpose

The purposes of this Section are generally to:

- a. Establish minimum standards for the appearance of development and corresponding architectural design and site elements that enhance property values, reflecting the interest of the City's general welfare.
 - b. Promote development that provides variety and visual interest.
 - c. Encourage the design of a developed environment that is built to human scale.
 - d. Ensure buildings are compatible with the surrounding area and contribute to the unique community character of Edmond.
 - e. Promote high standards in architectural design and creative, innovative, aesthetically pleasing structures.
 - f. Create and maintain a positive ambiance and community image and identity by providing for building design treatments that enhance the visual appearance of applicable development and the quality of life in the City.
 - g. Preserve and enhance a positive ambiance and community image and identity that conveys a lasting impression on both residents and visitors;
 - h. Provide buildings that are functional, safe, and attractive;
 - i. Establish the physical and functional relationships between buildings and the public realm; and
 - j. Prescribe the rules related to building massing, form, and design.
2. Applicability
 - a. This Section applies to:
 - (i) All new development and redevelopment unless otherwise specified;
 - (ii) Additions over 10 percent of the gross floor area of the building or more than 2,500 square feet, whichever is more.
 - b. Exemptions

This Section does not apply to:

 - (i) Single-family, townhome, or duplex residential buildings.
 - (ii) Developments meeting the criteria established in **26.04.040.B.10**.
3. Universal Standards
 - a. Generally

This Subsection establishes standards for multi-family residential and nonresidential development in **26.04.010.E.3.b** and **26.04.010.E.3.c**, respectively.
 - b. Residential Development

All multi-family buildings (fourplexes, and multi-family dwellings) shall comply with the requirements below:

 - (i) Building Articulation
 - (a) Horizontal wall planes longer than 40 feet in length shall be segmented into smaller sections by a structural or ornamental façade offset (recess or projection) of a minimum of 4 feet deep and 8 feet wide.
 - (b) The height of those offsets is equal to the building's height at the location of the offset.
 - (ii) Building Materials

Exterior building materials facing the public right-of-way shall not consist of:

 - (a) Untreated or Unfinished Concrete Blocks;
 - (b) Concrete Masonry Units (CMUs);

- (c) Corrugated Metal Siding; or
 - (d) Galvanized Metal Siding.
- (iii) Building Colors

Building façades shall not utilize colors that are:

 - (a) Highly reflective;
 - (b) Metallic; or
 - (c) Fluorescent.
- (iv) Design Elements
 - (a) A multi-family building is required to provide at least two of the following elements:
 - i. At least one dormer is provided for each roof plane over 1,000 square feet in area that faces a street. The dormer must be appropriately scaled for the roof plane and shall not be wider than the windows on the building elevation;
 - ii. All windows are emphasized through the use of molding around the windows, plant ledges, sills, shaped frames, awnings, shutters, or another similarly related architectural element;
 - iii. Downspouts associated with gutters are internally incorporated into the building's construction rather than attached to the building after the construction of the façade is complete; or
 - iv. Other similar architectural elements as approved by the Director of Planning.
 - (b) Where the development is within 100 feet of a property zoned or developed for low-density residential use, no windows or other openings that allow visibility into the side or rear yard of an abutting residential property are permitted. Windows, such as a clerestory or a translucent window that do not allow visibility into the adjacent side or rear yard are allowed.
- (v) Multi-Family Courts

A multi-family dwelling or group of multi-family dwellings with an inner or outer court shall comply with the following:

 - (a) Outer Court Width

The width of an outer court upon which windows open shall not be less than 10 feet, or equal to the height of the opposing structure or use, whichever is greater.
 - (b) Inner Court Width

The width of an inner court of a multi-family dwelling shall not be less than two times the height of the lowest wall forming the court, but in no case shall it be less than 20 feet.
 - (c) Passageway for Inner Court

An open unobstructed passageway shall be provided at grade of each inner court. Such passageway shall not be less than 12 feet in width, have a clearance of not less than 12 feet in height and provide a straight and continuous passage from the inner court to a yard or open space having a direct connection with a public right-of-way.
- (vi) Amenities
 - (a) A multi-family development shall provide the minimum number of amenities as established in **Table 04-5: Multi-Family Amenity Requirements**.
 - (b) Each unique amenity counts as one required amenity towards the requirements in **Table 04-5: Multi-Family Amenity Requirements**. Multiples of the same amenity

do not count towards unique amenities.

- (c) A list of permitted amenities is available in the *Unified Development Manual*.
- (d) To provide flexibility in development design, the Director of Planning may approve different amenities that meet the purpose of this Subsection.

Table 04-5: Multi-Family Amenity Requirements

Number of Units	Required Amenities
1 – 50	None
51 – 100	2
101 – 200	3
201 – 300	4
300 +	6 + 1 amenity for each 100 units after 300 units

c. Nonresidential and Mixed-Use Development

All nonresidential or mixed-use buildings shall follow the requirements provided below:

(i) Building Articulation

- (a) Façades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3 percent of the length of the façade and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 100 horizontal feet.
- (b) Ground floor façades that face public right-of-way shall have arcades, display windows, entry areas, awnings or other such features along no less than 60 percent of their horizontal length.
- (c) Building façades shall include a repeating pattern that includes at least three of the following elements:
 - i. Color change;
 - ii. Texture change;
 - iii. Material module change;
 - iv. An expression of architectural or structural bays through a change in plane no less than one foot in width, such as an offset, reveal, or projecting rib;
 - v. Balconies; or
 - vi. Awnings.
- (d) At least one of the elements of **26.04.010.E.3.c(i)(c)** shall repeat horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.

(ii) Building Materials

- (a) Exterior building materials facing the public right-of-way shall not consist of:
 - i. Untreated or unfinished concrete blocks;
 - ii. Concrete masonry units (CMUs);
 - iii. Corrugated metal siding;

- iv. Tilt-up concrete panels; or
 - v. Galvanized metal siding.
- (iii) Building Colors
 - (a) Building façades shall not utilize colors that are:
 - i. Highly reflective;
 - ii. Metallic; or
 - iii. Fluorescent.
 - (b) Building trim and accent areas shall not exceed 15 percent of the exterior façade.
- (iv) Roofs
 - (a) Roof Material

All roofs shall be covered with at least one of the following materials:

 - i. Natural clay tiles;
 - ii. Slate;
 - iii. Concrete tiles, (with natural texture and color);
 - iv. Wood shakes or shingles (with adequate fire protection);
 - v. High-profile, three-dimensional asphalt/fiberglass shingles;
 - vi. High-quality architectural hidden fastener or stamped metal (standing-seam, galvanized steel, copper, or zinc);
 - vii. Single-ply roofing membranes;
 - viii. Solar paneling; or
 - ix. Engineered green roof with plant materials in accordance with the *LID Manual*.
- (v) Windows

Where the building line is measured within 100 feet of the building line of a property developed or platted for low-density residential use, no windows or other openings that allow visibility into the side or rear yard of an abutting residential property are permitted. Windows, such as clerestory or a translucent window that do not allow visibility into the abutting side or rear yard are allowed.
- (vi) Entryways
 - (a) Each structure shall have clearly defined, highly visible primary entrances featuring at least three of the following:
 - i. Canopies or porticos;
 - ii. Overhangs;
 - iii. Recesses/projections;
 - iv. Arcades;
 - v. Raised corniced parapets over the door;
 - vi. Peaked roof forms;
 - vii. Arches;
 - viii. Outdoor patios;
 - ix. Display windows;
 - x. Architectural details such as tile work and moldings integrated into the building structure and design; or
 - xi. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

(b) In multi-tenant buildings, all primary entrances shall comply with subsection a.

(vii) Walkways

(a) Continuous unobstructed walkways at least 8 feet in width shall be provided from the sidewalk or public right-of-way to the primary entrances on the site. Walkways shall connect focal points of pedestrian activity such as transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for at least 50 percent of the length of the walkway.

(b) Walkways of at least 8 feet in width shall be provided along the length of any building façade with an entrance, and along any façade abutting a parking area. These walkways shall maintain a minimum of 5 feet of unobstructed clear space at all times.

(c) Walkways shall provide weather protection features such as awnings or canopies within 30 feet of all entrances.

(d) All walkways shall be distinguished from driving surfaces.

(viii) Central Features and Community Space

Each structure subject to these standards and 40,000 square feet or greater shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following features listed below. Any such feature shall have direct access to the public sidewalk network and shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

(a) Patio/seating area;

(b) Pedestrian plaza with benches;

(c) Transportation center;

(d) Window shopping walkway;

(e) Outdoor playground area;

(f) Kiosk area;

(g) Improved landscape area;

(h) Water feature;

(i) Public art; or

(j) Trailhead/Trail Connection.

4. Urban Context Area Standards

a. Generally

(i) Frontage Types

In Urban Context areas, all development shall provide one of the following frontages as provided in **Table 04-6: Frontage Type Applicability**.

(a) Exception: These regulations do not apply to single-family or duplex residential buildings.

Table 04-6: Frontage Type Applicability

Zoning District → Frontage Type ↓	Urban – Core	Urban – Transition	Urban – Edge
Arcade	✓	✓	

Zoning District → Frontage Type ↓	Urban – Core	Urban – Transition	Urban – Edge
Shopfront	✓	✓	
Forecourt		✓	
Stoop	✓	✓	✓
Porch		✓	✓
Open Yard		✓	✓
Terrace		✓	✓

(b) Arcade

i. Description

In the Arcade frontage type, a covered walkway with or without habitable space above encroaches over a sidewalk or walkway. An Arcade shall be used to provide pedestrian circulation along a frontage and extend far enough from the building to provide adequate shade, shelter, and circulation space for pedestrians. An Arcade is intended for buildings with ground-floor commercial uses and is common along public courtyards and walkable streets.

ii. Form Requirements

Table 04-7: Arcade Form Requirements Summary

Form Requirements		
A	Depth, Clear (min.)	8 ft
B	Ground Floor Height (min.)	11 ft
C	Upper Floor Height (min.)	9 ft
D	Height (max.)	2 stories with encroachment
E	Setback from Back of Curb (min.)	2 ft
F	Width (min.)	75% of façade width

iii. Miscellaneous Requirements

- (1) Arcade frontages shall be used with the standards for the Shopfront frontage type (see **26.04.010.E.4.a(i)(c)**). In case of a conflict between them, the Arcade frontage-type standards prevail.

- (2) Arcades shall have a consistent depth along a frontage.
- (3) Arcades with more than two floors of habitable space above the colonnade shall not encroach onto a public right-of-way and shall be located to abut the right-of-way.

Figure 04-11: Arcade - Vertical Dimensions Diagram (Profile View)

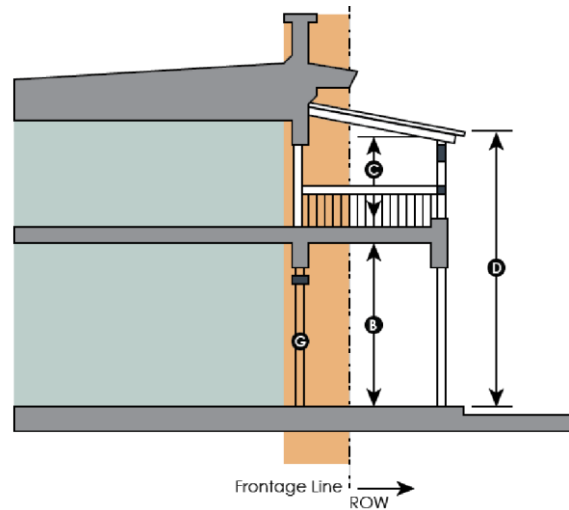
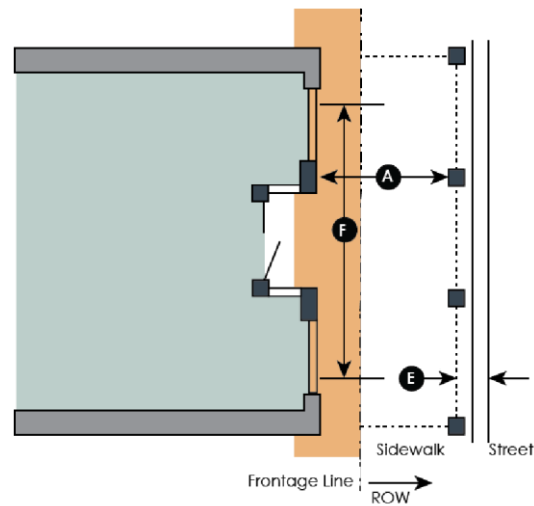


Figure 04-12: Arcade - Horizontal Dimensions Diagram (Aerial View)



(c) Shopfront

i. Description

In the Shopfront frontage type, the front façade of the building is at or near the frontage line with an at-grade entrance along the public right-of-way. The Shopfront frontage also includes a canopy or awning element that overlaps the sidewalk along the majority of the frontage. The canopy is a structural cantilevered shed roof, and the awning is canvas or similar material and is often retractable. A Shopfront may be used in conjunction with other frontage types.

ii. Form Requirements

Table 04-8: Shopfront Form Requirements Summary

Form Requirements		
A	Distance between Glazing (max.)	2 ft
B	Depth of Recessed Entries (max.)	5 ft
Canopy/Awning		
C	Depth (min.)	4 ft
-	Width, Cumulative (min.)	70% of façade width
D	Setback from Back of Curb (min.)	2 ft
E	Height, Clear (min.)	8 ft

iii. Miscellaneous Requirements

- (1) Doors may be recessed as long as the front façade is located between the minimum and maximum front setbacks.
- (2) Windowsills shall be located at a maximum of 30 inches above the finished grade at the building line.
- (3) Awnings shall provide a minimum horizontal clearance of 3 feet to streetscape tree plantings.

Figure 04-13: Shopfront - Vertical Dimensions Diagram (Profile View)

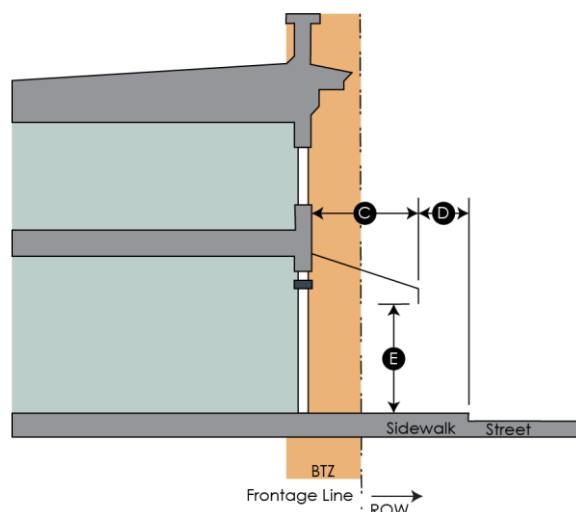
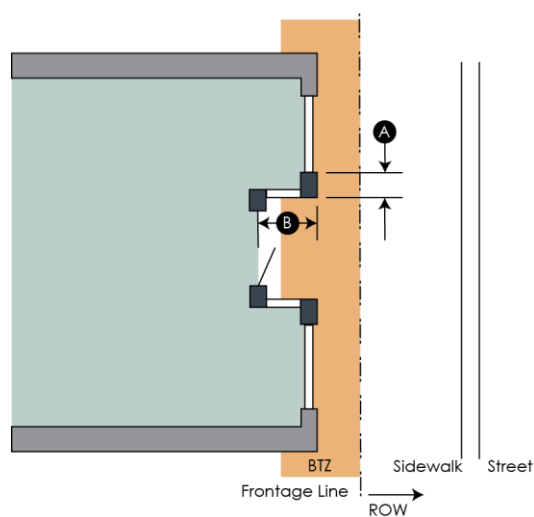


Figure 04-14: Shopfront - Horizontal Dimensions Diagram (Aerial View)



(d) Forecourt

i. Description

In the Forecourt frontage type, the primary portion of the building's front façade is at the front setback while a small percentage is set back, creating a courtyard space. This space can be used as an entry court, garden space, or for outdoor seating, dining, or retail.

ii. Form Requirements

Table 04-9: Forecourt Form Requirements Summary

Form Requirements		
A	Width (min.)	12 ft
B	Depth (min.)	12 ft

iii. Miscellaneous Requirements

- (1) Forecourts are especially useful along larger, more auto-dominant thoroughfares to provide well-shaped, intimately sized public outdoor spaces.
- (2) The proportions and orientation of courtyard spaces shall be carefully considered for solar orientation and user comfort to facilitate the provision of shade, shelter and safety.

Figure 04-15: Forecourt - Vertical Dimensions Diagram (Profile View)

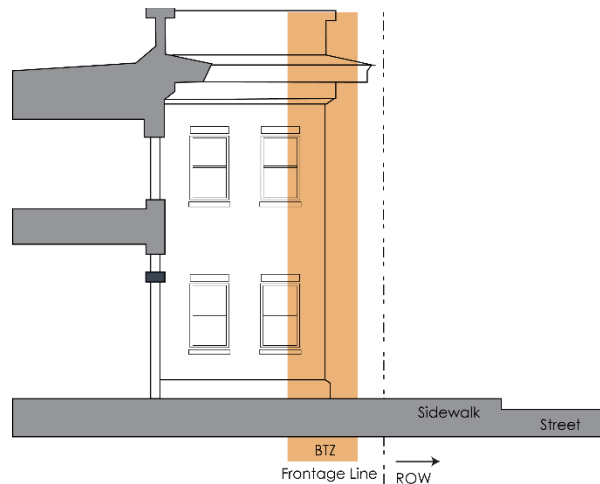
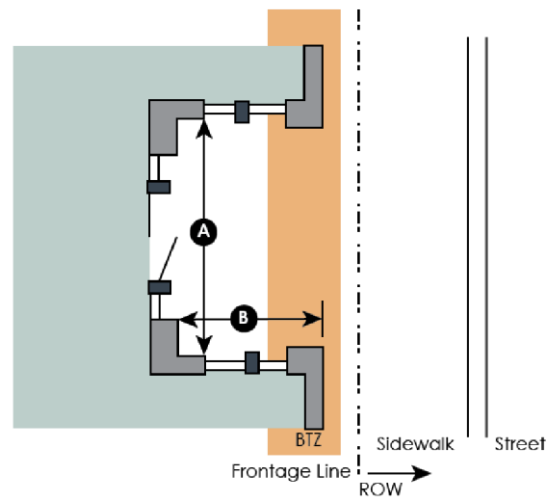


Figure 04-16: Forecourt - Horizontal Dimensions Diagram (Aerial View)



(e) Stoop

i. Description

In the Stoop frontage type, the front façade of the building is at the front setback and the elevated stoop projects forward. The Stoop is elevated above the sidewalk to ensure privacy within the building. The Stoop is usually composed of stairs and a landing.

ii. Form Requirements

Table 04-10: Stoop Form Requirements Summary

Form Requirements		
A	Width, Clear (min./max.)	5 ft/8 ft
B	Depth, Clear (min./max.)	5 ft/8 ft
-	Height, Clear (min.)	8 ft
C	Height (max.)	1 story
D	Finish Level above Sidewalk (min.)	1.5 feet

iii. Miscellaneous Requirements

- (1) A Stoop is appropriate for residential uses with small setbacks.
- (2) Stoops may extend forward of the minimum front setback line and into the right-of-way, as long as a 6-foot minimum clear zone for pedestrians is maintained on the sidewalk.
- (3) Stairs may be perpendicular or parallel to the building façade.
- (4) Entry doors may be covered or recessed to provide shelter from the elements.
- (5) Gates are not allowed.
- (6) All doors shall face the street.
- (7) For commercial uses, entrances with steps, such as stoops, are not considered accessible. Where a change in level exists, an accessible route such as a ramp or other compliant means shall be provided in accordance with the ADA Standards, Chapter 11 of the IBC, and ICC A117.1.

Figure 04-17: Stoop - Vertical Dimensions Diagram (Profile View)

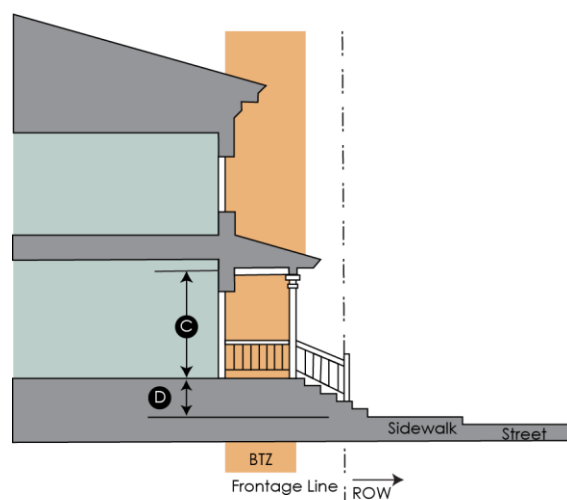
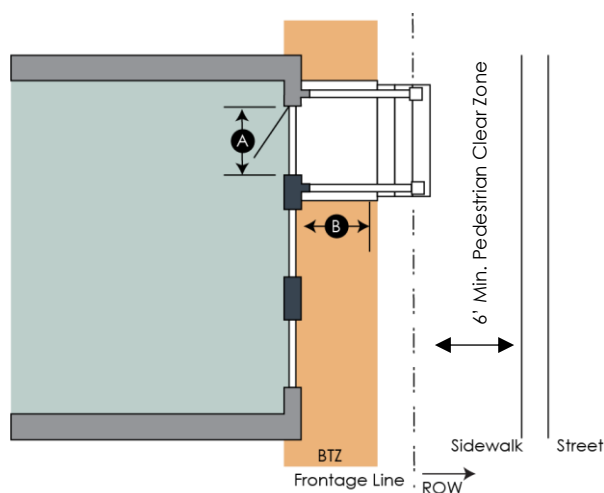


Figure 04-18: Stoop - Horizontal Dimensions Diagram (Aerial View)



(f) Porch

i. Description

In the Porch frontage type, the front façade of the building is at the front setback and the porch projects forward. The Porch is used to access a first floor that is elevated above the sidewalk to ensure privacy within the building. A Porch is large enough to function as an outdoor living space. Stairs from the porch may descend forward or to the side. Porches may extend forward of the front setback.

ii. Form Requirements

Table 04-11: Porch Form Requirements Summary

Form Requirements		
A	Width, Clear (min.)	8 ft
B	Depth, Clear (min.)	6 ft
C	Height, Clear (min.)	8 ft
D	Height (max.)	2 stories
E	Finish Level above Sidewalk (min.)	1.5 ft

iii. Miscellaneous Requirements

- (1) Stairs from the Porch may extend into the right-of-way, as long as a 6-foot minimum clear zone for pedestrians is maintained on the sidewalk.
- (2) For commercial uses, entrances with steps, such as porches, are not considered accessible. Where a change in level exists, an accessible route such as a ramp or other compliant means shall be provided in accordance with the ADA Standards, Chapter 11 of the IBC, and ICC A117.1.

Figure 04-19: Porch - Vertical Dimensions Diagram (Profile View)

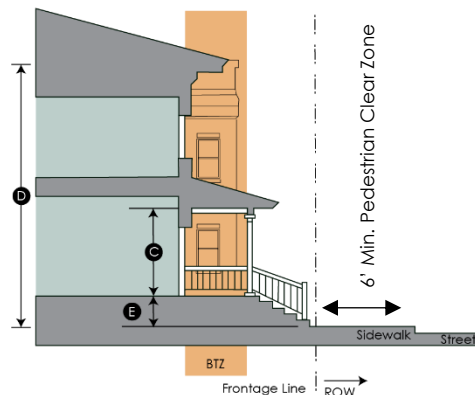
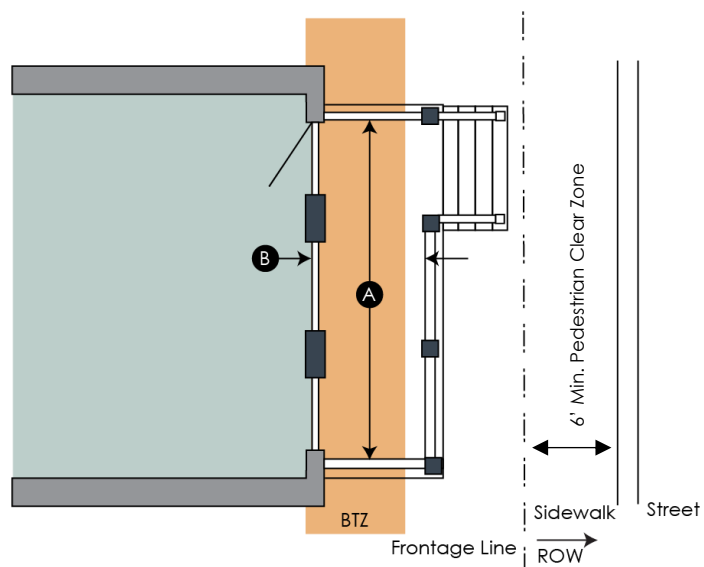


Figure 04-20: Porch - Vertical Dimensions Diagram (Aerial View)



(g) Open Yard

i. Description

In the Open Yard frontage type, a landscaped yard separates the building and the street. It is intended for areas with moderate to considerable setbacks. It is also appropriate for areas transitioning from urban to a more suburban frontage context.

ii. Form Requirements

Table 04-12: Open Yard Form Requirements Summary

Form Requirements		
A	Finish Level above Sidewalk (min.)	1 ft

iii. Miscellaneous Requirements

None.

Figure 04-21: Open Yard - Vertical Dimensions Diagram (Profile View)

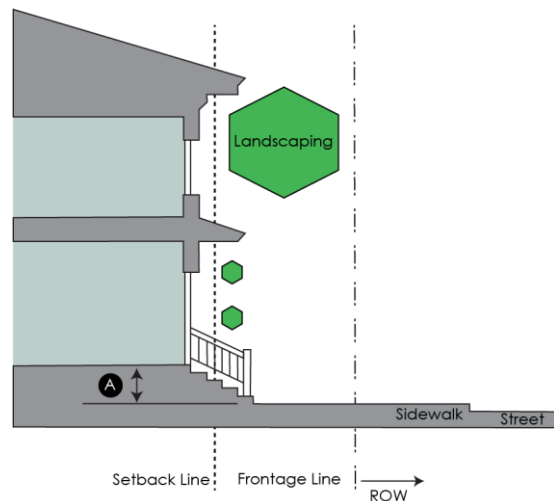
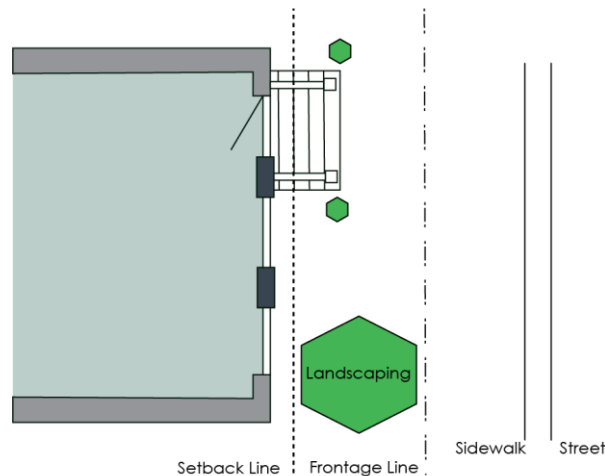


Figure 04-22: Open Yard - Horizontal Dimensions Diagram (Aerial View)



(h) Terrace

i. Description

In the Terrace frontage type, the building façade is set back from the property line by an elevated terrace. This frontage element type tends to buffer residential uses from sidewalks and removes the private yard from public encroachment. Terraces are suitable for use or conversion to outdoor dining.

ii. Form Requirements

Table 04-13: Terrace Form Requirements Summary

Form Requirements		
A	Depth (min.)	8 ft
B	Length (min.)	25% of frontage
C	Finish Level Above Sidewalk (min.)	1.5 ft

iii. Miscellaneous Requirements

If used for outdoor dining, a low fence or garden wall shall be required to designate the dining area.

Figure 04-23: Terrace - Vertical Dimensions Diagram (Profile View)

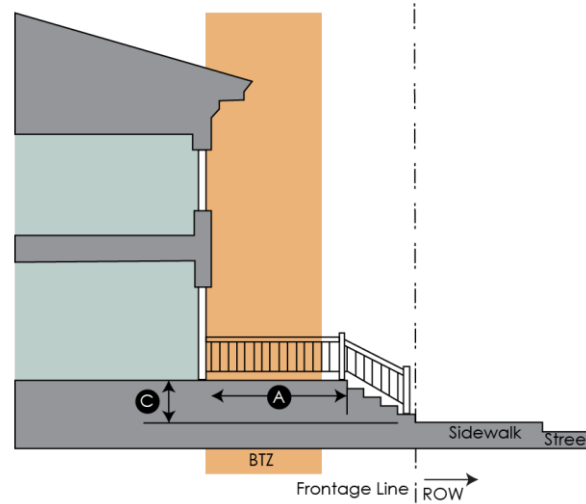
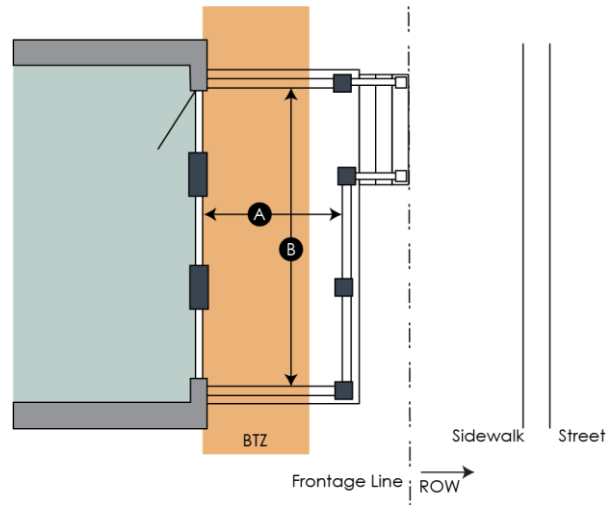


Figure 04-24: Terrace - Horizontal Dimensions Diagram (Aerial View)



b. Residential Development

In Urban Context areas, all multi-family buildings (fourplexes and multi-family dwellings) shall follow the requirements provided in **Table 04-14: Residential Form Standards Applicability**.

Table 04-14: Residential Form Standards Applicability

Key Zoning District → Standard ↓	● = required X = prohibited ○ = permitted, not required		
	Urban – Core	Urban – Transition	Urban – Edge
Building and Site Design			
Buildings shall provide a rectilinear form with a clear base, middle, and top	●	●	○
Parking, including off-street parking, is permitted; however, it shall not be located between the building and the right-of-way and must be fully screened from view of the right-of-way Off-street parking may be constructed behind the building or otherwise away from the right-of-way	●	●	○
Stairwells between floors and corridors providing access to units shall be placed in the interior of the building and shall not be visible with the exception of the exit doors and may or may not be air conditioned	●	●	○
A minimum of 75% of all units must provide balconies or patios containing at least 50 square feet in size and shall be a minimum of 5 feet in depth	●	●	●
Roof			
Roof Style			
Gabled/pitch	X	X	○
Gambrel	X	X	X
Flat	○	○	○
Mansard	X	X	○
Shed	○	○	○
Hip	○	○	○

Key	● = required X = prohibited ○ = permitted, not required		
Zoning District → Standard ↓	Urban – Core	Urban – Transition	Urban – Edge
Windows			
Fenestration			
All ground floor façades fronting a public street shall have windows covering at least 50% of the façade area.	●	●	○
Glazing			
Ground floor windows: Visible Transmittance (VT) of 0.6 or higher	●	○	○
Ground floor windows: Visible Transmittance (VT) of 0.4 or higher	●	●	○
Upper floor windows: Visible Transmittance (VT) of 0.4 or higher	●	●	○

c. Nonresidential Development

In Urban Context areas, all nonresidential development shall follow the requirements provided in **Table 04-15: Nonresidential Form Standards Applicability**.

Table 04-15: Nonresidential Form Standards Applicability

Key	● = required X = prohibited ○ = permitted, not required		
Zoning District → Standard ↓	Urban – Core	Urban – Transition	Urban – Edge
Façades and Exterior Walls			
Buildings shall provide a rectilinear form with a clear base, middle, and top	●	●	○
Façades fronting public streets shall maintain the traditionally prevalent and consistent façade treatment that may be expressed through changing materials, or color, or by using	●	●	○

Key	● = required X = prohibited ○ = permitted, not required		
	Urban – Core	Urban – Transition	Urban – Edge
Zoning District → Standard ↓			
design elements such as fenestration, columns, and pilasters, or by varying the setback of portions of the building façade.			
Roof Style			
Gabled/pitch	X	X	○
Gambrel	X	X	○
Flat	●	○	○
Mansard	X	X	X
Shed	X	○	○
Hip	X	○	○
Windows			
Fenestration			
All ground floor front or corner side façades facing a public street shall have windows covering at least 50% of the façade area.	●	●	○
Glazing			
Ground floor windows: Visible Transmittance (VT) of 0.6 or higher	●	●	○
Ground floor windows: Visible Transmittance (VT) of 0.4 or higher	X	X	○
Upper floor windows: Visible Transmittance (VT) of 0.4 or higher	●	●	○

F. Screening

1. Purpose

The purposes of this Section are to:

- a. Minimize conflicts between potentially incompatible land uses and development on abutting property;

- b. Mitigate possible adverse impacts of nonresidential development abutting residential development;
- c. Ensure that screening is attractive and in character with the neighborhood; and
- d. Distinguish screening and fencing from each other by clearly defining the two terms and applying specific standards to each term.

2. Applicability

a. This Section applies to:

- (i) All new development and redevelopment unless otherwise specified; and
- (ii) Additions or exterior alterations that increase the impermeable surface of the site by 10 percent or more than 2,500 square feet, whichever is less.

b. Exemptions

This Section does not apply to:

- (i) Low-density residential buildings.

3. Universal Standards

Every development shall provide sufficient screening as established in **Table 04-16: Screening Applicability** and **Table 04-17: Screening Types**, unless otherwise specified.

a. Screening Requirements

- (i) Required screening shall be as provided in **Table 04-16: Screening Applicability**. For the purpose of this table, “Low-Density Residential” includes single-family, duplex, and triplex residential buildings.
- (ii) Screening shall be installed along the shared lot line, on the property of the use required to provide screening.

Table 04-16: Screening Applicability

Use Required to Install Screening → Abutting Use ↓	Low-Density Residential	High-Density Residential	Commercial	Industrial
Low-Density Residential	-	B	B	C
High-Density Residential	-	-	A	C
Commercial	-	-	-	C
Industrial	-	-	-	-
Key	A = Type A Screening B = Type B Screening C = Type C Screening - = No Screening Required			

b. Screen Types

- (i) There are three screen types, which graduate in intensity (low, moderate, and heavy). Multiple options are provided for each screen type. The following screen types are

provided in **Table 04-16: Screening Applicability** and are used as the basis for the screening requirements provided in this Section.

- (a) Low Intensity Screen Type – contributes to the aesthetics of the development site and provides a pleasant visual break.
 - (b) Moderate Intensity Screen Type – mitigates impacts such as noise, provides a vegetative barrier and helps transition between low- and high-intensity developments.
 - (c) Heavy Intensity Screen Type – dampens noise, vibration, dust and similar potential adverse impacts of adjacent industrial development activities with vegetation and height elements that improve visual appeal from the public view and adjoining development.
- (ii) All trees installed as an element of a Screen Type shall be Type 1 or 2 shade trees unless otherwise approved by the Planning Commission.
- (a) Trees installed as screening do not count towards landscape plant units.
- (iii) Shrubs installed as an element of a Screen Type shall be Type 3 deciduous or conifer shrubs with a minimum height at maturity of 5 feet to achieve the intended screen.
- (a) Shrubs installed as screening do not count towards landscape plant units.

Table 04-17: Screening Types

Screening Types		
Screen Type	Composition Options	Minimum Specifications
A: Low Intensity	Tubular-Steel/Wrought Iron or Wood Fence with Trees	- Minimum 6-foot-tall tubular steel/wrought iron fence with masonry columns at 20 feet on center 1 tree per 30 linear feet
	Masonry Wall	Minimum 6-foot-tall masonry wall
	Vegetative Wall	Minimum 6-foot-tall vegetative wall with evergreen plantings
	Shrubs	Continuous 5-foot-tall evergreen shrubs spaced at a maximum of 5 feet on center
	Berm	Minimum 6-foot-tall slope peak with a maximum slope ratio of 3 feet of horizontal plane for each one foot of vertical height
B: Moderate Intensity	Tubular-Steel/Wrought Iron fence with Trees and Shrubs	- Minimum 6-foot-tall tubular-steel/wrought iron fence with masonry columns at 20 feet on center 1 tree per 20 linear feet - Continuous 6-foot-tall evergreen shrubs spaced at a minimum of 3 feet on center

Screening Types		
Screen Type	Composition Options	Minimum Specifications
	Masonry Wall with Trees	- Minimum 6 ft tall masonry wall 1 tree per 25 linear feet
	Shrubs with Trees	- Continuous 6-foot-tall evergreen shrubs spaced at a maximum of 5 feet on center 1 tree per 30 linear feet
	Berm with Trees	- Minimum 6-foot-tall slope peak with a maximum slope ratio of 3 feet of horizontal plane for each one foot of vertical height 1 tree located between every two slopes where berm bases meet
C: Heavy Intensity	Masonry Wall with Trees and Shrubs	- Minimum 8-foot-tall masonry wall 1 tree per 15 linear feet, staggered into two rows
	Berm with Trees and Shrubs	- Minimum 6-foot-tall slope peak with a maximum slope ratio of 3 feet of horizontal plane for each one foot of vertical height 1 tree located between every two slopes where berm bases meet - Continuous 3-foot-tall evergreen shrubs spaced at a minimum of 3 feet on center

c. Screening Certain Development Features

(i) Mechanical Equipment

(a) Ground-Mounted Mechanical Equipment

- i. All mechanical equipment, such as air conditioning compressors shall be located on the ground to the fullest extent possible.
- ii. All ground-mounted mechanical equipment shall be screened by an enclosure of sufficient height that the equipment is not visible from the public right-of-way or abutting properties zoned or platted for Low-Density Residential uses.
- iii. The enclosure shall provide minimum separation as defined by the manufacturer's requirements for the particular equipment to be screened.
- iv. The top of the enclosure may be left open.

(b) Roof-Mounted Mechanical Equipment

- i. Where mechanical equipment cannot be located on the ground, such equipment may be located on the roof, provided it is screened from view of the public right-of-way.
- ii. Screening of rooftop mechanical equipment shall be accomplished solely by increasing the height of parapet walls on all necessary sides of the roof.

Freestanding enclosures, sheds, or other structures built on the roof for the purpose of screening shall not be permitted.

(c) Wall-Mounted Mechanical Equipment

- i. Wall-mounted mechanical equipment shall be screened using the provisions in this section or by using architectural features that accomplish the same mitigation purpose(s).

(d) Utility Meters

- i. Utility meters may be screened from view of public right-of-way, provided all access and clearance requirements are met.

(ii) Parking Areas

- (a) Parking areas for more than six vehicles shall be screened from abutting Residential uses or districts using a Type A: Low Intensity screening measure (see **Table 04-17: Screening Types**).
- (b) The fence or wall shall be constructed and maintained in good condition along the applicable lot line or paving line and shall continue up to, but not beyond, the abutting residential building side yard setback line.

d. Screening Maintenance

The property owner is responsible for maintaining the screening.

G. Fencing

1. Purpose

The purposes of this Section are to:

- a. Minimize conflicts between potentially incompatible land uses and development on abutting property;
- b. Maintain fences by recognizing their use to create privacy;
- c. Distinguish fencing and screening from each other by clearly defining the two terms and applying specific standards to each term.

2. Applicability

a. Generally

This Section applies to all development in the following circumstances unless otherwise specified.

(i) New Construction

The construction of a new fence;

(ii) Extension

Any extension of an existing fence; or

(iii) Replacement

- (a) Replacement of an existing fence that is a different size, at a different location, or of a different material (e.g., a chain link fence being replaced by a wood privacy fence); or

- (b) Replacement of 50 percent or more of the linear length of an existing fence.

b. Exemptions

This Section exempts:

- (i) Replacement of less than 50 percent of the linear length of an existing fence, except that the portion being replaced shall not:

- (a) Impede visibility at the sight triangle;
- (b) Impede a natural drainageway;
- (c) Be located in certain utility easements that require gated access; or
- (d) Encroach abutting property lines.

3. Universal Standards

a. Generally

- (i) Fences are not required for any property within the corporate limits; however, when fences are provided, they shall follow the requirements of this Section.
- (ii) No fence shall be allowed in the public right-of-way.
- (iii) No fence shall conflict with the sight triangle requirements of **26.04.010.B.6.**
- (iv) No fence shall be erected on any property without the consent of all owners of the property.
- (v) Fences shall not encroach onto adjoining property not owned by the owner of the fence, nor shall any fence encroach upon any right-of-way unless specified otherwise.
- (vi) Fences may be located directly adjacent to existing fencing or attached to such fencing with the consent of the fence owner.
- (vii) Every fenced enclosure constructed under the provisions of this Section shall have at least one gate in its perimeter.
- (viii) No privacy, opaque, or other sight-proof fencing shall be allowed within a required front yard.
- (ix) All fences constructed under the provisions of this Section shall be maintained so as to comply with the requirements of this Section at all times.
- (x) A landscape buffer, minimum 5 feet in width, shall be required between the fencing and frontage property lines on street frontages for:
 - (a) Any multi-family or commercial use where the fence is located along the front property line, or
 - (b) Any industrial use, when fencing is located across any street from residential or commercially zoned districts, or
 - (c) Any non-residential use wherein temporary or outdoor storage is permitted within the front yard.

b. Fence Location

- (i) No fences exceeding 3 feet in height shall be allowed in the required front yard in any residential district.
- (ii) Fences erected in the front yard shall not exceed 8 feet in height in any residential district.
- (iii) A fence that does not cross any portion of the front yard may begin on a rear or side property line at the full height of the fence, but shall not exceed 8 feet in height from the ground below the fence.
- (iv) A fence may be located in the rear or side yard, but shall be in compliance with other regulations of this Section.
- (v) Fences shall not impede the normal flow of stormwater and shall not cross an open drainage channel.
- (vi) Fences shall not be constructed over or encroach into a public access easement.

c. Fence Design

The following design standards apply to any new or replacement of any fence where the length of the replacement exceeds 50 percent of the length of the existing fence.

- (i) Height
The maximum fence height shall be 8 feet above average grade.
- (ii) Finished Surface
 - (a) The fence's finished surface shall face outward from the property.
 - (b) Posts and support beams shall be inside the finished surface or designed to be an integral part of the finished surface.
- (iii) Barbed Wire and Razor Wire Fences
 - (a) Barbed wire and razor wire fences are prohibited in all context areas and zoning districts, unless otherwise specified in the exemption standards.
 - (b) Exemptions
 - i. Public Facility Safety Standards
 - (1) Barbed wire and razor wire may be placed on top of permitted fences and screening devices for the purpose of security from theft, entry, and hazards around public facilities, provided the top strand is no taller than 12 feet nor the bottom strand lower than 8 feet from the adjacent grade line.
 - ii. Rural Context Area Standards
 - (1) Barbed wire fences are allowed in the R-AG zoning district.
 - (2) Permitted barbed wire fences shall not be placed within 5 feet of a sidewalk or within 5 feet of a street right-of-way where a public sidewalk does not exist.
 - iii. Suburban Context Area Standards
 - (1) In the S-FI district, barbed wire and razor wire strands may be placed on top of permitted fences and screening devices for the purpose of security from theft, entry, and hazards around industrial sites, provided the top strand is no taller than 12 feet nor the bottom strand lower than 8 feet from the adjacent grade line.

H. Outdoor Lighting

1. Purpose

The purposes of this Section are to:

- a. Allow the use of outdoor lighting for night-time safety, utility, security, productivity, enjoyment, and commerce;
- b. Minimize adverse off-site impacts of outdoor lighting; and
- c. Encourage outdoor lighting that is functional, aesthetically pleasing, and complementary to the architectural style of buildings or settings.

2. Applicability

a. Generally

This Section applies to all outdoor lighting within the corporate limits. All outdoor lighting installed after the effective date of this UDC shall comply with this Section.

b. Exemptions

The following are exempt from the regulations in this Section unless specified otherwise:

- (i) Developments meeting the criteria established in **26.04.040.B.10**.

- (ii) Single-family, duplex, triplex, dwellings are exempt from the outdoor lighting plan requirements, but when lighting is provided, it is subject to the standards of this Section.
 - (iii) Street lighting that is subject to the standards of the Oklahoma Department of Transportation (ODOT) and the City.
 - (iv) Decorative lights less than 36 inches in height, with a maximum initial lamp output of 1,500 lumens.
 - (v) Emergency/warning lights.
 - (vi) Security lighting, provided the following standards are met:
 - (a) Building-mounted security lighting fixtures shall not project above the fascia or roof line of the building and shall be shielded.
 - (b) Security fixtures shall not be substituted for parking area or walkway lighting and shall be restricted to loading, storage, service, and similar locations.
 - (vii) Outdoor recreation uses, provided the following standards are met:
 - (a) Lighting poles/pylons do not exceed 60 feet in height;
 - (b) Flickering or flashing lights are prohibited; and
 - (c) As-built lighting and photometric plans are submitted.
- 3. Universal Standards
 - a. Generally
 - (i) Lighting that illuminates or substantially interferes with the use or enjoyment of any other property is prohibited. Lighting unnecessarily illuminates another site if it exceeds the requirements of this Section.
 - (ii) Placement of free-standing fixtures must not conflict with placement of required trees within parking area landscapes.
 - b. Lighting Limitations
 - (i) Sensor technologies, timers, or other means to activate lighting when needed may be required by the City to conserve energy, provide safety, and promote compatibility.
 - (ii) Energy-efficient lighting shall be used to the maximum extent practicable.
 - (iii) Lighting shall be designed to provide even illumination and minimize excessive variation between bright and dark areas.
 - (a) Exterior site lighting shall not exceed a uniformity ratio of 20:1, measured as the maximum-to-minimum maintained illuminance with a minimum horizontal illuminance of 0.2 foot-candles and minimum vertical illuminance of 0.1 foot-candles, unless a more restrictive ratio is recommended by the Illuminating Engineering Society (IES).
 - (iv) All outdoor lighting shall meet the functional security needs of the proposed land use without adversely affecting surrounding properties and the natural environment.
 - c. Light Sources and Fixture Types
 - (i) All new and replacement light sources must be fully shielded (see Figure 04-25: Light Shielding). Light sources shall not be visible and shall be concealed or shielded to reflect down on the ground. Lighting must be configured to ensure that light does not spill or reflect onto adjacent properties or public areas.
 - (a) Exception: Light sources not exceeding 500 lumens for individual light fixtures, 150 lumens for individual lights in a light string (e.g., patio lights), and with a correlated color temperature of 3000 Kelvin or less are not required to be fully shielded.

Figure 04-25: Light Shielding



- (ii) Any fixture that interferes with traffic movement on public right-of-way or produces other traffic hazards is prohibited.
 - (iii) Light sources of limited spectral emission, such as low-pressure sodium or mercury vapor lights, are prohibited in all context areas and zoning districts.
- d. Light Color Temperature
 - (i) Light sources in residential zoning districts shall not exceed 3500 Kelvin in color temperature.
 - (ii) Light sources in nonresidential zoning districts shall not exceed 5000 Kelvin in color temperature.
- e. Light Confinement and Fixture Orientation
 - (i) All fixtures shall confine lighting to the subject site. Lighting that shines outward or upward to the sky and creates direct glare is prohibited.
 - (ii) Light spillover onto adjacent properties is prohibited.
 - (iii) Light fixtures shall be installed so that the luminaire angle is zero degrees (vertical to the ground).
 - (iv) Under-canopy or downcast, roof-mounted lights shall be recessed from the lowest point of the ceiling plane.
 - (v) Fixtures used to accent architectural features, landscaping, or art shall be located, aimed, or shielded to minimize light spill into the night sky.
 - (vi) Light fixtures used to illuminate flags, statues, or any other objects shall minimize glare beyond the illuminated object.
 - (vii) Light fixtures must be oriented so that no conflicts with landscaping occur.
 - (a) Light poles may not displace tree plantings.
 - (b) Overhead light fixtures shall be placed within paved locations, outside of landscaped areas.
- f. Lighting Height Standards
 - (i) Light fixtures mounted to a building or structure shall not exceed the height of the building or structure.

- (ii) Freestanding light fixtures located in residential zoning districts shall be mounted no higher than 20 feet from the ground.
- (iii) Freestanding light fixtures located in nonresidential zoning districts shall be mounted no higher than:
 - (a) Twenty-four (24) feet from the ground in parking areas, and
 - (b) Twelve (12) feet from the ground in non-vehicular pedestrian areas.

I. Refuse Management

1. Purpose

The purpose of this Section is to provide adequate provisions for on-site waste disposal and collection to promote safe and sightly development and provide for public health and welfare.

2. Applicability

This Section applies to all new nonresidential and multi-family residential development that requires commercial solid waste collection, and to existing nonresidential and multi-family residential development requiring updates or modification to existing commercial solid waste service.

3. Universal Standards

a. Generally

- (i) Solid waste containers shall not be located in front of the main building.
- (ii) No container used for refuse collection, recycling, trash compaction, or the holding of grease shall be located in a yard abutting residential property. If the applicable use is surrounded by residential properties, then the container(s) shall be located a minimum of 25 feet from any side or rear property line.

b. Screening

- (i) All refuse facilities must be fully screened on a minimum of three sides.
 - (a) If ungated, the fourth side shall not be visible from the public right-of-way.
 - (b) Exception: In accordance with the City's Commercial Services Requirements, the Director of Public Works may waive the requirement for containers not visible from public right-of-way.
- (ii) Screening walls shall be constructed according to the standards of **26.04.010.F** to fully occlude the facility inside, with the exception of gates that may provide partial visibility into the facility.
- (iii) Screening walls shall be the same color as those of the principal structure with which the screening is associated, or meet the vegetative wall standards set forth in **26.04.010.F**.

c. Design

- (i) The design of the approach, pad, and enclosure must meet the City's Commercial Services Requirements found in the *Unified Development Manual*.
 - (a) Exception: For infill sites with development constraints, the Director of Public Works, or their designee, may approve alternative configurations.

4. Urban Context Area Standards

a. Shared Containers

- (i) Shared containers may be used by multiple property owners provided the refuse management agreement is mutually agreed upon by a signed affidavit filed with the City and written approval from the Director of Public Works or their designee is

provided. This requirement is met by submitting a signed and notarized affidavit and attaching a plan that depicts the location of (1) shared containers and (2) a description of how shared disposal will function onsite.

- (ii) Shared dumpsters shall be located:
 - (a) In U-CR and U-TR districts:
 - i. Between the rear of the building(s) and the rear property line.
 - (b) In the U-ED district:
 - i. Between the rear of the building(s) and the rear setback.
 - (iii) In no instance shall a shared container be located within an alley.
 - (iv) Shared containers must be approved by the Director of Public Works or their designee.
 - (v) Waste volume calculations must be performed based on the size and service interval of the container.
- b. Consolidated Containers
- (i) Where nonresidential properties are eligible for residential solid waste containers, but dimensional constraints on facilities render all such properties maintaining individual containers infeasible, consolidation of facilities through shared commercial containers may be approved by the Director of Public Works.

J. Infill Development

1. Purpose

The purpose of this Section is to accommodate and encourage compatible development in existing developed areas, while reinforcing the established character of those areas and mitigating adverse impacts on adjacent properties.

2. Applicability

This Section applies to all development and redevelopment within Edmond's corporate limits unless otherwise specified.

3. Standards

a. Generally

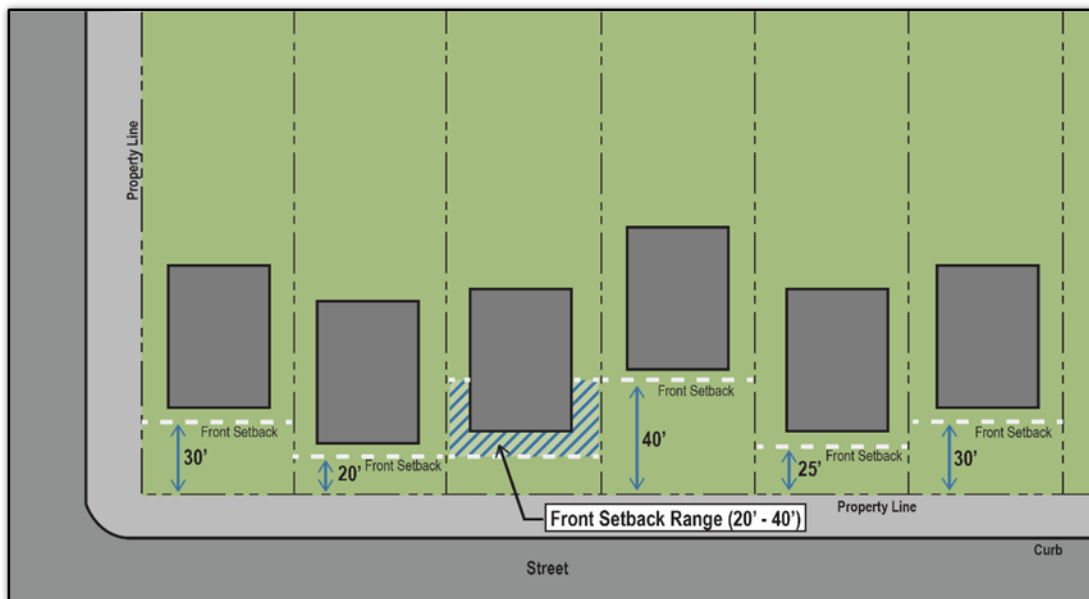
- (i) Where a block face, as defined in this UDC, consists of 40% or more lots on which development exists, subsequent development of any lots on that block face shall be subject to the standards of this Section.

b. Lots and Setbacks

- (i) Generally, infill development lots shall meet the required minimum area for the zoning district in which they are located.
 - (a) The Director of Planning may, at their discretion, reduce the minimum lot size for an infill development lot by up to thirty percent (30%) if one or more of the following criteria are met:
 - i. The lot is located within an established block where surrounding development exhibits a pattern of smaller lot sizes;
 - ii. The proposed reduction is compatible with the prevailing character of the block, including setbacks, building scale, and lot width;
 - iii. The reduction will not create adverse impacts on adjacent properties, including overcrowding, loss of privacy, or inadequate access;
 - iv. The resulting lot configuration allows for a buildable area that meets all other applicable zoning and building requirements; or

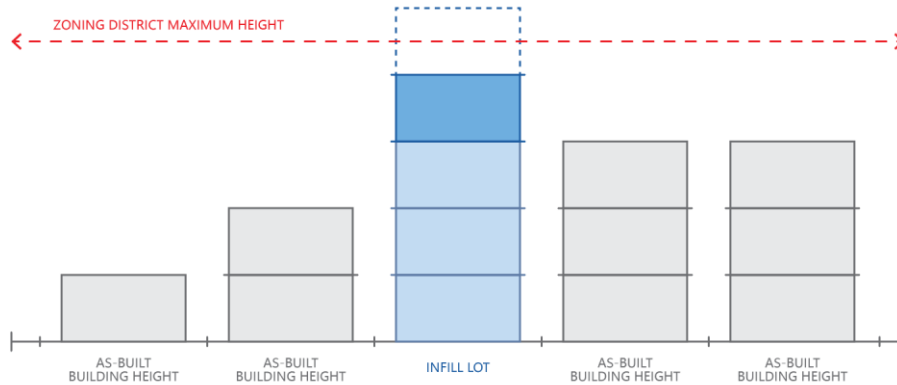
- v. The development supports reinvestment, redevelopment, or efficient use of underutilized land consistent with the Comprehensive Plan.
- (ii) The front setback for infill development shall be determined by assessing the as-built setbacks on the block face and building no nearer to the front lot line than the nearest on the block face, and no further from the front lot line than the furthest on the block face, as exemplified in Figure 04-26: Infill Development Setback Range.
- (iii) All other setbacks shall meet the zoning district's dimensional standards unless specified otherwise.

Figure 04-26: Infill Development Setback Range



4. Building height for infill development shall be determined by assessing the as-built heights on the block face and building no shorter than the shortest on the block face, and no taller than two stories above the tallest on the block face, not to exceed the maximum allowable height for the property's zoning district, as exemplified in **Figure 04-27: Infill Development Building Height Range**.

Figure 04-27: Infill Development Building Height Range



5. Massing

Buildings shall either be similar in size or, if larger, be articulated and subdivided into massing that is proportional to the mass and scale of other structures, if any, on the same block face, abutting or adjacent to the subject property, opposing block face or cater-corner block face at the nearest intersection.

K. Accessory Buildings

1. Purpose

The purpose of these regulations is to ensure compatibility between accessory buildings and surrounding development, preserve neighborhood character and aesthetics, promote the general health and welfare of the community, support orderly development, and manage stormwater runoff from impervious surfaces, while supporting residents being able to exercise their personal property rights.

2. Applicability

a. This Section applies to:

- (i) All new accessory buildings unless otherwise specified; and
- (ii) Any additions to an existing accessory building that increases the overall square footage or footprint of the structure.

b. This Section does not apply to:

- (i) Accessory buildings used for agricultural purposes in the **Rural – Agricultural Preservation (R-AG) District**.

3. Universal Standards

- a. The regulations in **26.04.010.B** shall apply to all accessory buildings. For the purposes of this Section only, “residential lots”, whether platted or not, refers to single-family and duplex lots.
- b. No accessory building shall be constructed until a building permit for construction of the main building has been issued. Once the main building has been constructed, no accessory building shall receive a Certificate of Occupancy and be used unless the main building on the lot is also being used.

- c. Accessory buildings are prohibited within easements.
- d. Accessory buildings may only be used as an Accessory Dwelling Unit as permitted by **26.02.040.B. Use Table**.
- e. Accessory buildings containing larger livestock (e.g., cows, hogs, horses, etc.) shall be located at least 150 feet from any existing dwelling on an abutting property.
- f. Accessory buildings containing smaller livestock (e.g., chickens, ducks) shall comply with setback standards established in **Table 04-18: Accessory Building Standards**.

Table 04-18: Accessory Building Standards

	Residential Lots			All Other Lots
	Lots less than 20,000 sq. ft.	Lots 20,000 sq. ft. to 1 acre	Lots over 1 acre	
Maximum Floor Area of All Accessory Buildings Combined	All Accessory Buildings that are not a part of the main building shall not occupy more than 50 percent of the rear yard			
Maximum Height	Equal to or less than the main building	Equal to or less than the main building	N/A	Equal to or less than the main building
Minimum Front Setback	Behind the front façade of the main building			
Minimum Side and Rear Setback	5 feet if height does not exceed 12 feet; otherwise same standards as main building, except in S-RE District where 5 feet is allowed regardless of accessory building height		Same standards as the main building	

L. Performance Standards

1. Purpose

The purpose of this Section is to establish regulations that protect the public from the potential negative effects of intense nonresidential development by regulating smoke and particulate matter, odorous matter, fire or explosive materials, toxic and noxious matter, vibration, open storage, noise, and glare in the vicinity of those sites.

2. Applicability

In all zoning districts, any permitted use shall conform in operation, location, and construction to the performance standards established in this Section.

3. Universal Standards

- a. No noise from any operation conducted on the premises, other than that emanating from vehicular traffic, either continuous or intermittent, shall be detectable at any boundary line of the district.

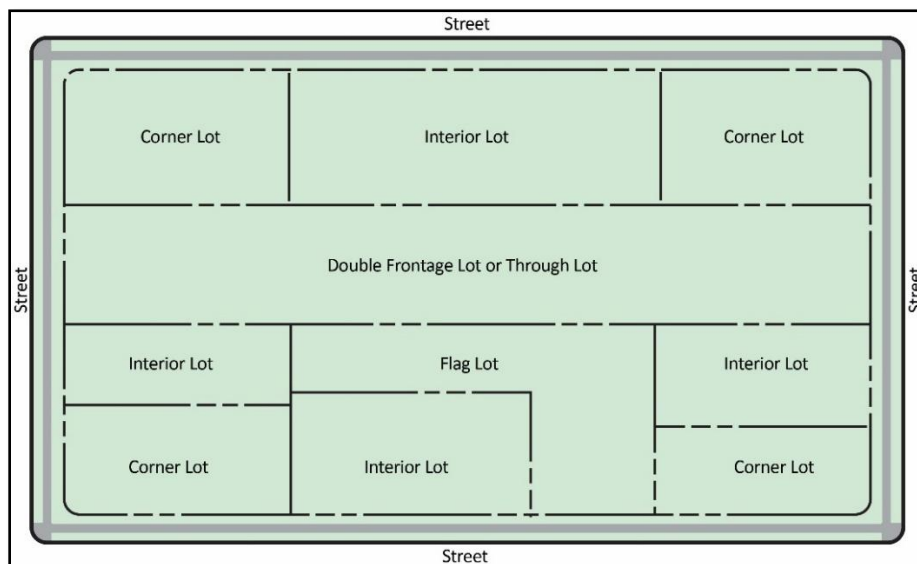
- b. All nonresidential uses shall be carried on in such a manner so as not to be injurious or offensive by reasons of the emission or creation of noise, vibration, smoke, dust or other particulate matter, toxic or noxious matter, odor, glare, heat, fire, or explosive hazards.
- c. All buildings shall be furnished with all-weather, hard-surfaced sidewalks and walkways, and the grounds shall be planted and landscaped.
- d. The manufacture or the use of any materials that produce explosive vapors or gases is prohibited.
- e. Activities involving storage, utilization, or manufacture of materials or products that decompose by detonation are prohibited.
- f. Any operation that produces intense glare or heat shall be performed within a completely enclosed building, and exposed sources of light shall be screened so as not to be detectable beyond the lot lines.
- g. No vibration shall be detectable beyond the lot lines of the lot on which the use is located.

26.04.020. Subdivision Development Standards

A. Lots

1. Generally
 - a. The size, shape, and orientation of lots must comply with applicable UDC regulations. When lots are not served by public sewer or water service, lot dimensions and lot area must comply with the requirements of the Oklahoma Department of Environmental Quality.
 - b. Lot standards contained in this section may be modified as part of a Planned Unit Development (PUD) approved in accordance with the applicable procedures in this UDC (see **26.02.050.F**).
2. Lot Arrangement
 - a. All lot types and arrangements shall comply with this UDC. See **Figure 04-28: Lot Types and Arrangements** for the various lot types and arrangements.
 - b. All side lines of lots shall be at right angles to straight street lines, or radial to curved street lines, unless the Planning Commission determines a variation will give a better street and lot plan.
 - c. Lots on major intersections and at all acute angle intersections which, in the opinion of the Commission based on a recommendation by the Director of Engineering, are likely to be dangerous to traffic movements, shall have a 50-foot sight triangle at the street corner.
 - d. Where grade separation structures, such as bridges or underpasses, are proposed at major intersections, the lots and improvements in the subdivision shall be arranged to make adequate provision for such structures.
 - e. Where grade separation structures are, or may be required along lot side-lines, the lots and improvements shall be arranged to make adequate provision for such structures including, but not limited to additional side yard setback, necessary utilities, right-of-way, or specific grading or pad elevation for the lot or lots at issue.

Figure 04-28: Lot Types and Arrangements



Lot Dimensions

- f. Lot dimensions shall comply with the minimum standards of **26.02.020. Zoning Districts**.
- g. Corner lot lines shall provide a sight distance triangle in accordance with **26.04.010.B.6**.

3. Lot Drainage

Lot layouts shall provide positive drainage away from all buildings, and individual lot drainage shall reflect the general storm drainage pattern for the area. Drainage design shall comply with the Engineering Criteria Manual.

4. Double Frontage or Through Lots

Double frontage or through lots shall be avoided except where necessary, as determined by the Director of Engineering, to provide separation of residential development from arterial roads or to overcome disadvantages of topography and orientation.

5. Flag Lots

- a. Generally, flag lots shall not be created during the subdivision process.
- b. The creation of flag lots may be approved only if a flag lot design:
 - (i) Has a minimum width of 5 feet at the “pole” or frontage, or as determined necessary by the Director of Engineering;
 - (a) The front property line of the “flag” portion of the lot intersecting with the “pole” shall meet the minimum lot width of the applicable zoning district.
 - (ii) Limits direct access to an arterial street;
 - (iii) Provides greater protection of sensitive natural resource areas;
 - (iv) Hides or conceals utility buildings or radio, television, or telecommunication towers; or
 - (v) Avoids substantial hardship to the subject property owner due to the property’s topography or any other condition.
- c. Flag lot conditions may be imposed, including but not limited to requirements for shared driveways, maximum flag lot length, minimum street frontage, and minimum flag lot width.

6. Reserve Lots and Common Areas

These regulations recognize that it may occasionally be necessary and in the public interest to create lots designated as reserve areas to be occupied by stormwater detention, common recreation, private rights-of-way, or other similar uses. If declared reserved for those purposes by easement, plat, or other recorded legal documents approved by the City or Oklahoma County, reserve areas are exempt from this UDC’s lot regulations.

7. Proximity to Railroads and Limited Access Highways

When the area to be subdivided adjoins or contains a railroad right-of-way or limited access highway, lots that back onto that right-of-way shall have appropriate provisions for buffering and access control.

8. Access

- a. All lots shall face and have contiguous frontage on a usable public street or an approved private street, or an approved non-vehicular thoroughfare, unless specifically stated otherwise within this UDC. No development of any kind shall be permitted on landlocked lots, and no City permits shall be issued for landlocked properties.
- b. Residential lots with four or fewer units that are adjacent to a collector or higher classification street shall also have frontage on a local street, and shall show a Limits of No Access (LNA) to the collector or higher classification street on the plat. Vehicular access to and addressing of these lots shall be from the local street only.

- c. For all other lots, lots may only derive access from a highway or arterial street as provided below:
 - (i) Shared Access:
 - (a) Where driveway access from a highway or arterial street can serve multiple adjoining nonresidential and/or multi-family lots (whether presently developed or undeveloped), the Planning Commission may allow those lots to be served by a combined access drive with cross-access easements.
 - (b) The shared-access driveway, cross-access drives, and parking area must meet all standards for fire lanes and must include appropriate throat lengths as determined by the Director of Engineering for safe ingress and egress points. Applications for shared facilities include an agreement in a form acceptable to the City that outlines maintenance and liability responsibilities, which cannot be altered without City approval.
 - (c) The Planning Commission may grant a Subdivision Waiver to allow access for an individual residential lot if it is determined that shared and cross access are not feasible or practicable for the site (see **26.03.030.F**). For purposes of this subsection, shared or cross access may be considered not feasible or practicable when one or more of the following conditions exist:
 - i. The subject lot lacks sufficient frontage, width, or configuration to accommodate a shared access drive or cross access easement that meets applicable design standards;
 - ii. Existing development, including buildings, utilities, or site improvements, prevents the extension of shared or cross access without requiring disproportionate demolition or reconstruction;
 - iii. Physical constraints such as topography, drainage features, or environmental conditions make construction of a compliant shared or cross-access connection impractical;
 - iv. The location or design of adjacent properties does not allow for a safe and functional connection, including where spacing, alignment, or grade differences cannot be reasonably resolved;
 - v. The proposed shared or cross access would create unsafe traffic conditions, including inadequate sight distance or conflicts with existing access points or intersections; or
 - vi. Legal or ownership constraints prevent the establishment of necessary access easements despite a good-faith effort by the applicant.
 - (ii) When a property with frontage along a highway or arterial street is proposed to be subdivided or developed, access may be provided by one or more of the following actions:
 - (a) Create through lots that back onto the highway or arterial street and front onto and take access from a parallel street, coupled with the installation of a fence, wall, or vegetative visual screen along the highway or major arterial street frontage;
 - (b) Provide a frontage road separated from the highway or arterial street;
 - (c) Appropriate easements or deed restrictions shall be provided to ensure perpetual access to all lots within the development.
- d. Driveways shall be designed and arranged to avoid requiring vehicles to back into traffic on highways, arterial streets, or collector streets.
 - (i) Non-residential driveways shall not require vehicles to back into traffic on highways,

arterial streets, or collector streets.

- e. For paving design criteria for access within the right-of-way adjoining any City street, see the Engineering Criteria Manual.

9. Platted Building Lines

If platted building lines in an accepted and recorded Final Plat conflict with the setback of the UDC, the more restrictive shall apply.

B. Streets and Sidewalks

1. Street Improvements

- a. All rights-of-way shall be designated as either public or private, and streets, pedestrian facilities, and bicycle facilities shall be constructed in accordance with the City's Thoroughfare Plan and Engineering Criteria Manual.
 - (i) In developed areas where right-of-way is not available to accommodate the requirements of the City's Thoroughfare Plan and Engineering Criteria Manual, dedication requirements shall be determined by the Director of Engineering as part of the development review process.
- b. The design of all points of access to a State Highway shall be approved by the Oklahoma Department of Transportation.
- c. The City requires the improvement of all arterial streets designated as Zone 1 - Full Widening or Zone 2 - Entry Widening, Acceleration/Deceleration Lanes, as set out in the Engineering Criteria Manual.
- d. In lieu of widening, the developer may, if recommended by the Director of Engineering and approved by the City Council, pay to the City an amount necessary to widen the roads. When authorized, payment of the fee in lieu of widening shall be required prior to acceptance of the Final Plat. The amount shall be determined by the Director of Engineering based on the quantity of materials and work required and current unit prices. The developer shall be required to construct adequate acceleration and deceleration lanes as determined by the Director of Engineering.
- e. All public rights-of-way in subdivisions shall be put to final grade before streets are paved and utilities installed.
- f. Streets in new subdivisions should make provision for the connectivity or continuation of the principal existing streets into adjoining areas of their proper projection where adjoining land is not subdivided insofar as may be deemed necessary by the Commission for public requirements.

2. Arrangement of Streets

- a. In general, provisions should be made for through streets at intervals of 700 feet or less.
- b. Offset streets should be avoided. But, if necessary, offsets shall not be less than 125 feet centerline-to-centerline and shall be offset to the right-hand side.
- c. Collector streets should be designed to provide a direct route from local streets to arterial streets and highway systems and to provide access to public facilities within the neighborhood.
- d. Integration of Existing Streets
 - (i) All new streets shall be designed to align with, extend, and integrate into the existing or planned network of public streets, thoroughfares, and rights-of-way, as identified in the Comprehensive Plan and applicable transportation plans. Subdivisions shall be designed to accommodate future street extensions where feasible and appropriate to ensure a logical pattern of circulation. Where a proposed subdivision abuts or includes

an existing or planned street, the Director of Engineering may require one or more of the following measures to support safe and efficient traffic circulation and to protect adjacent residential development:

- (a) Marginal access streets;
- (b) Reverse frontage lots with landscape screening located within a dedicated non-access reserve along the rear lot line;
- (c) Deep lots served by rear alleys or designed with adequate spacing between driveways to minimize traffic conflicts; or
- (d) Compliance with minimum driveway spacing standards for arterial street intersections, as established by this UDC.

3. Alleys

- a. Alleys are permitted in all new development and redevelopment projects.
 - (i) The developer is responsible for relocating utilities to the alleyway if alley access is provided.
- b. Where the average lot width along a block face averages 30 feet or less, the lots shall be rear-loaded with alley access.
- c. The following general requirements apply to alleys:
 - (i) Alleys shall be as nearly parallel to the street frontage as reasonably possible.
 - (ii) Alley intersections with streets shall be at right angles.
 - (iii) Alleys shall not be platted to intersect with arterial or collector streets.
 - (iv) Dead-end alleys shall not be permitted unless a permanent or temporary turnaround is provided.
 - (v) Alleys forming the boundary of a subdivision, and adjacent to unplatted property, shall be dedicated and improved the same as if situated in the interior of a subdivision.
- d. Alleys shall be private and, as such, privately maintained.

4. Frontage Roads

When the area to be subdivided abuts or contains a freeway, interstate, or highway, a street shall be dedicated approximately parallel to the side of the right-of-way. To determine the distance of such parallel street from the right-of-way, consideration shall be given to the distance required for approach ramps to future grade separations.

5. Private Streets

- a. Private streets must be constructed in accordance with the City's Thoroughfare Plan and Engineering Criteria Manual.
 - (i) Exception: Private streets in rural areas addressed by 11 O.S. § 45-104.E. may not be required to meet the City's standards for construction.
- b. All private streets shall be located in a private roadway easement.
- c. The provisions of **26.04.020.B.1** and **26.04.020.B.2** shall also apply to private streets.
- d. Property owners retain ownership of the private streets and are responsible for the installation of and ongoing maintenance for private streets, including streetlighting, traffic controls, signs, and other related features, in accordance with City standards for public streets.
- e. No private street name may be changed without approval of the City.
- f. The owner(s) of a private street may petition the City to accept maintenance of a private street; however, the City is under no obligation to accept private streets.

6. Cul-de-Sacs and Dead-End Streets

- a. Cul-de-sac streets are not permitted except for when necessary to preserve natural and/or environmentally sensitive features (e.g., drainageways, protected trees) as determined by the Director of Planning.
- (i) If installed, Cul-de-sacs shall meet the dimensions set forth in **Table 04-19: Required Cul-de-Sac Dimensions**.

Table 04-19: Required Cul-de-Sac Dimensions

Activity Served	Cul-de-Sac Paving Width*	Cul-de-Sac Right-of-Way Width	Cul-de-Sac Maximum Length	Turnaround Paving Width*	Turnaround Right-of-Way Width
1 to 10 Residential Dwelling Units	38 feet	56 feet	600 feet	90-foot diameter	110' diameter or 100' with 12' sidewalk and utility easement**
All Other Non-Industrial Development	38 feet	56 feet	600 feet	90-foot diameter	110' diameter or 100' with 12' sidewalk and utility easement**
S-FI (Flex Industrial)	40 feet	62 feet	600 feet	100-foot diameter	120' diameter

*Measured to lip of curb

**Shall be a minimum of 12 feet of right-of-way or right-of-way/easement combination behind curb

- (ii) Pedestrian and bicycle access is required. A minimum ten-foot paved path shall be dedicated and improved to provide pedestrian and bicycle access between the cul-de-sac and adjacent or nearby park, roadway, trail, or City-dedicated open space.

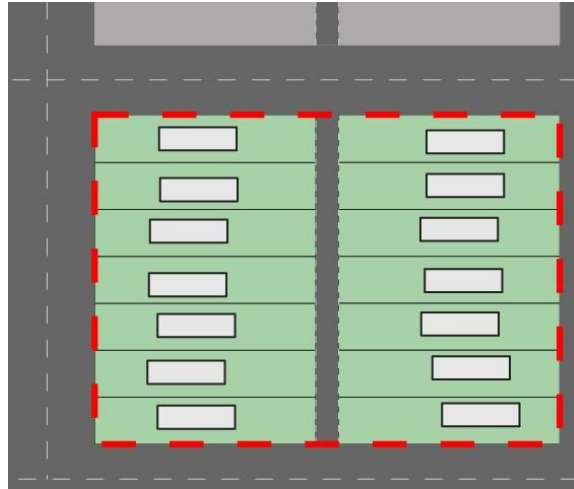
Figure 04-29: Example of Pedestrian Connection

- b. Cul-de-sacs shall not exceed the maximum length allowed by and must provide connectivity in accordance with the International Fire Code.

7. Block Length and Perimeter

- a. Measurements shall be calculated along the curb, including knuckles and/or turns and curves, including a three- or four-way intersection or a curve that exceeds 75 degrees, as shown in **Figure 04-30: Measurement of Block Lengths and Perimeters**.

Figure 04-30: Measurement of Block Lengths and Perimeters



- b. The maximum length of any block or street segment shall be as shown in Table 04-20: Maximum Block Lengths and Perimeters, based on the location's Context Area. These requirements do not apply to frontages along arterial streets.

Table 04-20: Maximum Block Lengths and Perimeters

Context Area	Max. Block Length	Max. Block Length with Traffic Calming Measures approved by the PC*	Max. Block Perimeter
Urban	400 feet	600 feet	2,200 feet
Suburban	600 feet	800 feet	3,000 feet
Rural	900 feet	900 feet	N/A

*The Planning Commission may require additional traffic calming measures based on the design of the blocks and roadway network of the subdivision.

- c. Block length standards contained in this section may be modified as part of a Planned Unit Development (PUD) approved in accordance with the applicable procedures in this UDC (see **26.02.050.F**).
8. Traffic Calming
- a. Local residential streets and collectors should incorporate traffic calming techniques into the design to severely restrict opportunities for illegal speeding and cut-through trips.
- (i) Trees and landscaping should be incorporated into traffic calming design, where feasible.
- b. New development shall implement traffic calming measures as required in the Traffic Calming section of the Engineering Criteria Manual.

- c. Arterial, collector, and local street traffic calming implementation, such as roundabouts, shall be installed at the time of roadway development and as approved by the Director of Engineering and Director of Building and Safety based on FHWA guidelines and City requirements.
- 9. Traffic Impact Analysis
 - a. The purpose of a Traffic Impact Analysis (TIA) is to ensure the development mitigates the effects of its traffic impacts on the existing and planned thoroughfare system of the City.
 - b. A TIA is required when:
 - (i) The total potential development generates 100 or more trips (in plus out) during any adjacent roadway's peak hour; or
 - (ii) The total potential development generates 100 or more trips (in plus out) during the development peak hour; or
 - (iii) The total potential development generates less than 100 trips (in plus out), but the Director of Engineering determines there are localized safety or capacity deficiencies.
 - c. TIA Development
 - (i) When required, the applicant shall submit at the applicant's expense a traffic study that assesses the traffic impacts associated with a proposed development. The TIA must be prepared under the direction of a Professional Engineer (P.E.) with experience in traffic engineering sufficient to assess traffic impacts. The TIA report shall be signed and sealed by the Professional Engineer.
 - (ii) TIAs shall be conducted in accordance with the Engineering Criteria Manual.
 - d. Amendments

Any existing TIA shall be amended based on changes to access or if the proposed trip generation is increased by 15 percent.

 - (i) If a TIA is less than two years old, an amendment identifying and discussing any changes shall be prepared and submitted to the City for approval.
 - (ii) If the TIA is more than two years old or no longer complies with current standards, a new TIA shall be prepared and submitted to the City for approval.
 - (iii) If the TIA is less than two years old and the proposed trip generation is increased by less than 15 percent, a letter documenting the changes shall be submitted to the City for approval.
 - e. Implementation
 - (i) Impacts identified by the TIA shall be mitigated according to the traffic calming standards outlined within the *Engineering Criteria Manual*.
- 10. Street Names
 - a. Names of Existing Streets

Existing streets that are aligned with others and named shall bear the names of the existing streets.
 - b. Streets Names

The proposed street names shall not duplicate any existing street names, shall comply with Ch. 16.34, and shall be approved by the Director of Engineering.
 - c. Street Names within Cul-de-Sac or Loop Streets

Street name suffixes such as place, court, and circle, must be used on streets that are cul-de-sac or loop streets.
 - d. Directional Street Name Prefixes

Street name prefixes such as North, South, East, and West may be used to clarify the general location of the street, provided that such prefixes are consistent with the existing and established street naming and address numbering system of the general area in which the street is located.

11. Access Management and Driveways

a. Roundabouts and Traffic Circles

- (i) Roundabouts or traffic circles are encouraged as the standard form of traffic control at all new and reconstructed intersections that meet MUTCD warrants for the installation of all-way stop control or a traffic signal.
- (ii) The design of all roundabouts and traffic circles shall be reviewed and approved by the Director of Engineering, the Director of Building and Safety, and Fire Code Official.

b. Access Management Standards

Developments shall conform to the Access Management Standards as defined in the *Engineering Criteria Manual* and *Unified Development Manual*.

12. Subdivision Access Points

- a. Access shall be provided to each subdivision in accordance with the Engineering Criteria Manual and adopted Fire Code (Title 17).
- b. Waivers to these access restrictions for subdivisions may be considered by the Planning Commission if the developer can prove that the property in question cannot comply due to the following conditions:
 - (i) Property frontage is too narrow; or
 - (ii) Site topography restrictions.
- c. The Planning Commission may consider a street stub into undeveloped property with an alternate emergency access easement as part of a subdivision proposal to warrant a waiver of the above access restrictions.

13. Sidewalks

- a. Sidewalks must be provided in accordance with the City's Thoroughfare Plan and Engineering Criteria Manual, and must be constructed within the street right-of-way or within an approved easement.
 - (i) Exceptions:
 - (a) Sidewalks are not required in residential acreage subdivisions with private streets.
 - (b) The Director of Engineering may allow exceptions to the minimum width requirement in cases where inadequate space or other factors prevent the installation of a full-width sidewalk.
- b. In lieu of constructing sidewalks, the developer may, if approved by the City Council, pay to the City an amount necessary to construct all sidewalks on arterial streets. The amount shall be determined by the Director of Engineering based on the quantity of materials and work required using current prices.
- c. Sidewalks must be designed and constructed in compliance with the Engineering Criteria Manual and the Americans with Disabilities Act (ADA), and Public Right-of-Way Accessibility Guidelines (PROWAG). Existing sidewalks that are not ADA-compliant shall be repaired or replaced to be compliant, where adjacent development or redevelopment occurs.
- d. Existing sidewalks shall not be removed except for the purposes of reconstruction, replacement or driveway installation.

14. Streetlights

- a. Streetlighting is required for public streets and optional for private streets.
- b. The developer is responsible for the cost of the installation of streetlights within the subdivision, and shall pay to the City a fee; therefore, prior to approval of the Final Plat, in accordance with the standards set forth herein, as referenced in the approved Fee Schedule: Appendix A.
- c. Street lighting fees shall equal the entire cost of materials and labor to the Public Works Department, as computed at the time of the design of the Underground Residential Distribution (URD) system, for each and every streetlight required hereunder. The conduit and other subsurface equipment required for street lighting will be installed per **26.04.020.K**.
- d. The cost determination shall be based upon the standard fixture. The City will not provide spare parts and repairs for material that is not supplied by the Public Works Department, nor will the Public Works Department provide electric service to any non-standard streetlight installed after the effective date of this UDC.
- e. The number and location of streetlights shall be determined by the Public Works Department upon submission of the Final Plat, by the formulation of a street lighting plan for the development. Lights should be located at subdivision entrances, interior intersections, cul-de-sacs, and at approximately 300-foot intervals on either public or private streets. Closer spacing may be appropriate in unusual situations. The developer may request additional street lighting subject to the fees and payment schedule. The developer will also be responsible for any conduit and other subsurface equipment required for the additional street lighting. See **26.04.020.K**. The Public Works Department shall retain all fees paid hereunder for the purpose of undertaking the installation of the streetlights at such time as building permits are issued for the development and as the allocation of personnel allows.

C. Maintenance of Physical Facilities

Where a subdivision contains storm sewers, sewers, sewage treatment plants, water supply systems, detention ponds, park areas, streets, trees, or other physical facilities necessary or desirable for the common welfare, benefit, or use of the area that are not maintained by any existing public agency, a property owner's association acceptable to the City shall be created.

D. Utilities in the Right-of-Way or Easements

- 1. Generally
 - a. Rights-of-way of greater width may be required by the City Council along or across lots where necessary for the placement of multiple utilities.
 - b. Where alleys are not provided, easements of not less than 20 feet, or a width as determined by the Director of Engineering for deep trench access, may be approved. In no case will the utility easement be less than 20 feet, unless there is a 10-foot easement being provided on each of the abutting residential lots for a total of 20 feet or there is an easement 10-feet in width, or greater, abutting the right-of-way.
 - c. Easements of greater width may be required along or across lots where necessary for the extension of storm and sanitary sewer mains and other utilities, and where both water and sewer lines are located in the same easement.
 - d. The City must have access to public infrastructure within easements.
 - e. Where utilities are not located within the right-of-way, utility dedications will be laid out in such a manner that all lots will either border on a utility dedication or a utility dedication will extend to each lot.
 - f. No building or structure shall be placed over an existing utility easement.

2. Trees

- a. Required trees shall not be planted within a utility easement. Additional trees may be planted in an easement; however, trees planted in close proximity to overhead lines must have a mature height and spread that will not conflict with the lines. Property owners are encouraged to review the Tree and Landscape Guide for further guidance.
- b. If the easement or right-of-way contains a desirable tree or trees (as determined by the City's Urban Forester), the developer shall provide additional easement or right-of-way width to provide ample room to ensure the survival of the tree or trees and still allow the placement of utilities in this manner.

3. Damages

The property developer shall indemnify and hold the City harmless for any damage to any structures, landscaping, or improvements within utility easements.

4. Redevelopment

In instances of redevelopment of existing platted subdivisions, it shall be the responsibility of the developer to change or relocate the existing easements and/or utility services as needed to provide proper alignment with the new subdivision. It shall be the developer's responsibility and at their expense.

- a. If the developer is not allowed or qualified to relocate the necessary utilities, they may engage a qualified party at their expense.

E. Drainage Easements

1. Drainage Easement Required

- a. Whenever any stream or surface drainage course is located in an area that is being subdivided, the developer shall dedicate an adequate drainage easement, as required and determined by the Director of Engineering, along each side of the stream for the purpose of accessing, widening, deepening, sloping, improving or protecting the stream.
 - (i) Such dedication shall be clearly identified on the recorded plat, including a statement entrusting maintenance to the property owner on record.
- b. In the event that the Director of Engineering and the developer cannot reach an agreement as to the extent of an "adequate easement", the matter will be referred to the Stormwater Drainage Advisory Board for an authoritative decision.

2. Drainage Easement Use and Maintenance

- a. The dedicated drainage easement can also be used for drainage, park, or recreational uses that do not disturb the natural environment.
- b. The drainage easement shall remain free of construction, development, tree removal, except for downed tree debris, or other alterations except for utility and roadway crossings, parks, and stormwater detention structures.
- c. The number of crossings through a drainage easement shall be minimized.
- d. Stormwater treatment facilities, agricultural uses, golf courses, septic systems, or wastewater irrigation shall not be located in the drainage easement.

F. Parks and Trails

1. All development must dedicate right-of-way or easements to connect with existing dedicated trail right-of-way or easements.
 - a. These dedications shall accord to the City's Parks and Recreation Master Plan and Thoroughfare Plan.
 - (i) Where a trail has been constructed within 150 feet of the nearest edge of the easement

or right-of-way, the trail shall be constructed through this dedication and connected to the existing trail.

- (ii) Where no such trail exists, the right-of-way or easement dedication, or fee-in-lieu, shall be provided without construction.

G. Low-Impact Development

Low Impact Development (LID) is an innovative, ecosystem-based approach to land development and stormwater management that works with nature to manage stormwater as close to its source as possible. The goal of LID design is to maintain the integrity of each watershed by maintaining the natural, pre-developed hydrology on each development site. LID employs principles that treat stormwater as a resource rather than a waste product. LID is a blend of measures that includes conservation, minimization of impacts, maintaining historic pre-developed runoff rates, integrated management practices, and pollution prevention techniques. Examples of commonly used LID practices include bioretention and infiltration basins such as inverted vegetated islands within parking lots, rain gardens, vegetated rooftops, rain barrels and cisterns, and permeable pavements.

The City encourages the use of Low Impact Development and recommends that such practices be incorporated into proposed and existing site development. The science, engineering, methodologies, and technologies associated with LID are continually being developed and updated. For the current Best Management Practices (BMPs) suggested for consideration, refer to the U.S. Environmental Protection Agency website, the design criteria and engineering construction standards of other communities, and recent publications by the City of Edmond, trade organizations, and others.

H. Water Lines

1. Water Lines in Residential Acreage Subdivisions

- a. If the City water supply abuts a residential acreage subdivision, the developer shall be required to connect with the City water supply.
 - (i) The water supply shall be deemed to be abutting when it is located in a utility easement or in the right-of-way of a street within 1/2-mile from any perimeter boundary of the subdivision measured in a direct line, or when it touches the subdivision at some point.
- b. In those residential acreage subdivisions where the water supply does not abut the addition, the City may extend the water supply to a point to abut the addition, in which case the developer shall connect to the supply in conformance with **26.03.010.A.1.j**.
- c. If the City water supply does not abut a residential acreage subdivision, the developer shall not be required to connect to the City water supply.

2. Water Lines in All Other Subdivisions

- a. In subdivisions other than residential acreage subdivisions, the developer shall connect to the City water supply and shall continue the supply to the farthest property lines in all directions from the point of connection at the expense of the developer.
- b. Dead-end mains are not allowed, except where the Director of Engineering determines a dead-end main is necessary for appropriate design. Temporary dead-ends shall terminate with a fire hydrant, blow-off valve, and pump, or a hydrant shall be installed within 25 feet of any temporary dead-end lines.
- c. The requirements and costs for connection to the City water supply shall be determined as follows:
 - (i) All construction shall conform to the specifications approved by the City Council and on file with the City. Water systems shall be of sufficient size to:

- (a) Furnish adequate domestic water supply to provide fire protection and water services to all lots, and
- (b) To conform with the current and adopted Master Water Plan for the City.
Said water system shall comply with specifications as approved by the Director of Engineering and the Oklahoma Department of Environmental Quality (DEQ).
- (ii) Fire hydrants shall also be installed by the developer in accordance with the minimum requirements of the National Board of Fire Underwriters and the City's adopted Fire Code.
- (iii) All fire flows shall be calculated according to the standards established in the City's adopted Fire Code.
- (iv) No single-family building permit shall be issued until the construction of all water system improvements is complete and accepted by the City Council.

I. Sanitary Sewers

1. Public Sanitary Sewage System Connection, Extension, and Installation Requirements for New Developments
 - a. Developers are required to connect the development to a public sanitary sewerage collection system or sewage treatment facility, obtain all necessary easements dedicated to the public as are required for such development, and provide adequate sewer laterals accessible to each lot. Said sewer system shall comply with specifications as approved by the Director of Engineering and the Oklahoma Department of Environmental Quality (DEQ). When necessary, the City may assist with developers' expenses, to be repaid in full to the City according to the provisions set forth in **26.03.020.F**.
 - b. Public sanitary sewer mains shall be extended through the development to the property lines that abut upstream land within the same sanitary sewershed.
 - (i) Each extension must:
 - (a) Be at or above the minimum main size and sized for planned upstream flows,
 - (b) Be installed at depth and alignment to provide gravity service to the upstream land,
 - (c) Terminate at or just inside the property line with a manhole and a capped stub for future connection, and
 - (d) Lie within an easement or right-of-way.
 - (ii) The Director of Engineering or their designee may waive or modify this requirement where the site coincides with a sewershed boundary or ridge, gravity service is infeasible, or an adopted Sanitary Master Plan shows no future extension.
 - c. Developers constructing sewerage systems are required to construct said systems with adequate capacity and excess capacity. Systems shall be at sufficient depth to permit future extension to serve the entire drainage area upstream from the point of consideration. The capacity shall include sewer lines, lift stations, and force mains, as applicable. New interceptor line extensions shall comply with the adopted and current Master Wastewater Collection System Plan and the size will be based on future design flows as determined by the Director of Engineering.
 - d. Where plans for the installation of sanitary sewers in the vicinity of the development have been prepared and approved by DEQ and the Director of Engineering, the developer shall install sewers in conformity with such plans.
 - e. In residential acreage subdivisions, the developer may not be required to connect to the City sanitary sewage system upon recommendation of the DRT.
2. Lift Stations and Payment for Wastewater Systems Components

- a. Lift stations are discouraged and only allowed in accordance with the City's latest Wastewater Master Plan and the Engineering Criteria Manual. Lift stations shall be constructed at the developer's expense.
 - b. The developer shall pay the City a lump sum amount equal to an annual maintenance cost of the lift station times 20 years. The annual maintenance cost will be determined by the Director of Engineering. If the developer and Director of Engineering cannot reach an agreement on the amount of the lump sum payment, the matter shall be referred to the Public Works Committee for an authoritative decision.
 - c. If the lift station is in operation for less than 20 years, the developer may receive a refund of the lump sum payment equal to the prorated amount based on the time remaining.
3. Ownership of Sanitary Sewer System Components
- After completion and acceptance of the developer's sewers constructed in accordance with these regulations, the sewers shall become a part of the sewerage system of the City.

J. On-Site Wastewater Treatment System

1. General
 - a. The use of an on-site wastewater treatment system within the jurisdictional area of the City of Edmond must comply with this UDC and Title 252, Chapter 641 of the Oklahoma Administrative Code.
 - b. On-site wastewater treatment systems shall only be permitted in zoning districts allowing for such system, as defined in **Chapter 26.02**.
 - c. On-site wastewater treatment systems may only serve individual lots.
 - d. Any on-site wastewater treatment system, including spray fields, shall be located a minimum of three hundred (300) feet from any public water supply well, unless a variance has been approved by DEQ.
 - e. A soil evaluation from a qualified scientist or engineer verifying the location is suitable for an on-site wastewater treatment system shall be provided to the Director of Engineering prior to approval.
 - f. Setbacks
 - (i) On-site wastewater treatment systems shall not be installed nearer than three hundred (300) feet from the normal pool edge of any body of water including lakes, ponds, rivers, and streams, whether permanent or ephemeral, nor shall any such system be installed nearer than three hundred (300) feet from any FEMA-designated 100-year floodplain.
 - (ii) Any new or modified on-site wastewater treatment system within six hundred sixty (660) feet of any such body of water or floodplain shall operate with an advanced treatment system including nitrate reduction technology.
2. Individual Aerobic Wastewater Treatment Systems
 - a. Discharge of Wastewater Effluent Prohibited

No property owner shall permit wastewater effluent from an individual aerobic wastewater treatment system to be sprayed upon public streets, public property, or property owned by another person. A minimum setback of 25 feet shall be maintained from the surface application area to adjoining public or private street rights-of-way. A minimum setback of 25 feet shall also be maintained from the surface application area to the main residential structure. A minimum setback of 15 feet shall be maintained from the surface application area to public property or property owned by another person.
 - b. Builder Requirement for Two-Year Maintenance Period

The builder shall provide the City with a copy of the contractual agreement with the installer of the aerobic treatment system, providing for the two-year mandatory maintenance service requirement per Oklahoma Administrative Code 252:241-10, as one of the builder requirements to obtain a Certificate of Occupancy (CO) from the City. The builder shall also provide a copy of the same maintenance contract to the property owner, along with a copy of this UDC.

c. Requirements for installation, operation, and maintenance.

Any person operating an individual aerobic sewage treatment system or permitting another to operate an individual aerobic wastewater treatment system on their property must:

- (i) Obtain and maintain all applicable permits from DEQ for the installation, operation, and maintenance of an individual aerobic sewage treatment system;
- (ii) Obtain the services of a Qualified Maintenance Service Provider for annual maintenance of the individual aerobic sewage treatment system to ensure that it is operated and maintained in accordance with the manufacturer's recommendations and requirements, and those of DEQ.

d. Keep a file and logbook indicating the individual aerobic sewage treatment system is operated and maintained in accordance with this section; and

e. Provide subsequent property owners a copy of the file and logbook and a copy of requirements.

3. Establishing responsibility for compliance and violation. The property owner(s) shall each be responsible to submit a report of annual maintenance to the Department of Building and Safety once a year. The Qualified Maintenance Service Provider must submit a report of maintenance to the owner/occupant within 7 days of a maintenance service visit. The report of maintenance must include the date and time of service, and document all maintenance and testing performed on the system and maintain these records at their business for a period of three years following the date of service. Upon receipt of the required report of annual maintenance and confirmation of compliance, the City of Edmond will provide the property owner with an Operation Permit good for one year. Permit fee may be applicable.
4. The property owner(s) of property served by an individual aerobic sewage treatment system shall each be responsible for the proper installation, operation, and maintenance of the individual aerobic sewage treatment system and shall each be subject to citation for violation of any provision of this article. The Operation Permit shall be revoked until the system is brought into compliance with the requirements of the provisions of this article. If the system is not brought into compliance in a reasonable amount of time, the violation will be reported to DEQ and the owner(s) and the occupant(s) will be subject to additional fines.

K. Connection to Electrical System

1. Electric Utility Connection

- a. The developer shall connect to the City's electric utility, Edmond Electric.
- b. Residential Subdivisions

Edmond Electric shall design the Underground Residential Distribution (URD) system to adequately serve the electrical needs of residential subdivisions, based on the approved Final Plat and applicable civil plans provided by the Developer or their designee.

- c. Commercial Developments

- (i) The Developer shall depict, as part of the site plan, utility plan, and/or other applicable plans submitted within an application, the proposed electric distribution facilities and infrastructure necessary to serve the development. The proposed electric distribution

facilities and infrastructure shall be coordinated with other site improvements and utilities depicted on the submitted plans. At a minimum, the plans shall depict:

- (a) The proposed point of connection to Edmond Electric's existing electric distribution system;
 - (b) Proposed primary, secondary, and service routing;
 - (c) Proposed locations of above grade electric distribution equipment, including transformers, junction cans, and pedestals;
 - (d) Proposed service entrance locations;
 - (e) Proposed utility easements, where required;
 - (f) Proposed access to and clearance areas around above-grade electric distribution equipment; and
 - (g) Extension of the proposed primary conduit system to the far extent of the property, where required by Edmond Electric.
- (ii) The Developer is encouraged to provide, when known or reasonably anticipated, information regarding electrical service requirements that may affect the design or capacity of the electric distribution system, including anticipated service voltage, electric vehicle charging, standby or emergency generation, distributed generation, and other significant electrical loads or generation sources.
 - (iii) The information depicted on the Developer's plans is preliminary and is intended to demonstrate that the proposed development can accommodate the electric facilities necessary to serve the development. Such depiction shall not constitute approval of the final Electric Distribution Plan (EDP).
 - (iv) Edmond Electric shall review the proposed electric distribution facilities and infrastructure and may require modifications necessary to adequately serve the development and accommodate existing or planned electric facilities.
 - (v) The final point of connection to Edmond Electric's existing electric distribution system shall be determined by Edmond Electric.
 - (vi) The final EDP shall be designed, or reviewed and approved, by Edmond Electric.
2. Developer's Contribution in Aid of Construction (CIAC)
- The Developer's Contribution in Aid of Construction (CIAC) shall be as provided below, or as otherwise approved by the Edmond City Council:
- a. Residential Subdivisions
- The Developer's CIAC shall consist of either:
- (i) Providing and installing the conduit portion of the URD system in accordance with Edmond Electric requirements, standards, and specifications; or
 - (ii) Paying Edmond Electric the estimated cost of materials and installation for the conduit portion of the URD system.
- (a) All such costs shall be non-reimbursable.
- b. Commercial Developments
- The Developer's CIAC shall consist of providing and installing the required components of the electric distribution system in accordance with the final EDP and applicable Edmond Electric requirements, standards, and specifications.
3. Relocation or Reconfiguration of Existing Electric Facilities

The relocation or reconfiguration of existing electric facilities and/or infrastructure necessary to facilitate the development shall be performed by Edmond Electric and billed to the Developer at the full cost of such services.

4. Changes Following Installation

Any changes made after the installation of electric facilities that require relocation or reconfiguration shall be performed by Edmond Electric and billed to the Developer, Builder, or Contractor, as applicable, at the full cost of such services.

5. Other Edmond Electric Requirements

The Developer shall comply with all other applicable Edmond Electric requirements, standards, and specifications.

a. Edmond Electric shall:

- (i) Design the Underground Residential Distribution (URD) system to adequately serve the electrical needs of residential subdivisions, based on the approved Final Plat and applicable civil plans provided by the Developer or the Developer's representative(s); and
- (ii) Design, or review and approve, the Electric Distribution Plan (EDP) for commercial developments, based on information provided by the Developer or the Developer's representative(s) regarding the development's electrical requirements.

L. Conservation Subdivisions

1. Purpose

The purpose of this section is to:

- a. Preserve natural resources, open space, agricultural land, and environmentally sensitive features;
- b. Promote flexible site design by clustering development while maintaining overall permitted density;
- c. Protect water quality, minimize stormwater impacts, and preserve natural drainage systems;
- d. Reduce erosion and sedimentation while conserving open space and protecting riparian corridors;
- e. Limit infrastructure demands and reduce land disturbance;
- f. Encourage walkable, connected development patterns and integration with surrounding areas;
- g. Conserve scenic views and reduce perceived density; and
- h. Advance the Comprehensive Plan and conservation goals.

2. Applicability

- a. Conservation subdivisions may be permitted in the rural context, where low-density residential uses are permitted.
- b. This conservation subdivision option is available as a use by right, subject to subdivision approval in accordance with **Chapter 26.03** and in accordance with the standards set forth in **26.04.020** subsections **A** through **K**, except as described in this subsection.
- c. As required under **Chapter 26.03**, a conservation subdivision shall conform to the requirements of this UDC, and other development-related ordinances; except that the requirements of this section shall supersede any conflicting ordinance provisions.

3. Generally

- a. Size

- (i) Conservation subdivisions shall be a minimum of 10 acres in size.
 - (ii) Lot Size
 - (a) Minimum lot sizes shall not apply to conservation subdivisions.
 - (b) The average lot size within the conservation subdivision shall be the minimum lot size of the underlying zoning district.
 - b. Density
 - (i) Maximum density shall not exceed that permitted under the underlying zoning district.
- 4. Conservation Area Requirements
 - a. Generally
 - (i) Not less than 50% of the gross tract area shall be designated as conservation areas.
 - (ii) Conservation areas shall be contiguous where practicable.
 - (iii) No individual open space parcel shall be less than one acre unless used for trail connections or stormwater features.
 - (iv) Open space shall be configured to:
 - (a) Maximize ecological connectivity,
 - (b) Avoid fragmentation, and
 - (c) Provide a minimum width of 100 feet, except for trail corridors.
 - (v) Open space shall be located to:
 - (a) Adjoin existing protected lands where feasible;
 - (b) Connect to greenway or trail systems;
 - (c) Buffer incompatible uses.
 - (vi) A buffer of at least 100 feet shall be provided between residential lots and active agricultural uses.
 - (a) This may be reduced to 50 feet when Type A screening is provided by the agricultural use.
 - b. Primary Conservation Areas
 - (i) At least 80% of the required open space in a conservation subdivision shall consist of primary conservation areas.
 - (ii) The following are considered primary conservation areas and shall be included within the required open space in the order of preference listed below. Secondary conservation areas and other open space can be included only after primary conservation areas comprise 80% of required open space.
 - (a) Special Flood Hazard Areas and Future Conditions Flood Hazard Areas;
 - (b) Riparian buffers along all perennial and intermittent streams;
 - (c) Wetlands protected by the Army Corps of Engineers or the Oklahoma Department of Environmental Quality and any provided or required buffers;
 - (d) Lakes, ponds, and other water bodies, excluding created stormwater management facilities;
 - (e) Wildlife habitat corridors;
 - (f) Areas at least 5,000 contiguous square feet in size with any natural slopes greater than 25%;
 - (g) Existing forests, at least one contiguous acre in size, in which healthy hardwood trees at least 10 inches in diameter at breast height comprise at least 50% of the area;

- (h) Greenways, rail trails, and other open space identified in adopted plans;
 - (i) Historic sites or structures currently designated in, or eligible for, the National Register of Historic Places; and
 - (j) Sites of at least five contiguous acres in size identified by the City, County, State, or federal government as farmland or agricultural land that is prime, unique, or of statewide or local importance.
 - c. Secondary Conservation Areas
 - (i) The following are considered secondary conservation areas and shall be included within the required open space in the order of preference listed below if additional space is still required after all primary conservation areas have been included:
 - (a) Existing forests, at least 12,000 contiguous square feet in size, in which healthy hardwood trees at least 10 inches in diameter at breast height comprise at least 50% of the area;
 - (b) Areas with any natural slope greater than 20%, unless identified as primary conservation areas;
 - (c) Buffers in excess of UDC requirements around any primary conservation area;
 - (d) Individual existing healthy trees greater than 18 inches in diameter at breast height; and
 - (e) New or existing improved pedestrian trails that are not identified as primary conservation areas or located in other conservation areas and that do not negatively impact other conservation areas. Such trails can be located in utility easements only if all utilities in the easements are buried, and in such cases, only the improved trails and not the easements, shall be considered secondary conservation areas.
 - d. Use
 - (i) The following uses are permitted within a conservation area:
 - (a) Passive recreation (trails, benches, overlooks);
 - (b) Agriculture using best management practices;
 - (c) Stormwater facilities designed as natural features; or
 - (d) Habitat restoration.
 - (ii) The following uses are prohibited within a conservation area:
 - (a) Residential or commercial structures (except approved accessory structures under 1,000 sq ft);
 - (b) Golf courses;
 - (c) Parking lots and impervious surfaces exceeding 5% of open space area;
 - (d) Wastewater disposal fields (except reuse irrigation approved by ODEQ); or
 - (e) Subdivision of conservation land.
 - e. Ownership and Management
 - (i) Conservation areas shall be:
 - (a) Dedicated to a public entity,
 - (b) Held by a homeowners' association (HOA), or
 - (c) Protected by a conservation easement held by a qualified entity.
 - (ii) Conservation areas will be recorded on the Final Plat and include restrictions on future development.

- (iii) Third-party enforcement rights shall be granted to the City on the recorded Final Plat.
 - (iv) Management Plan
 - A conservation management plan shall be required and shall include:
 - (a) Ownership and maintenance responsibilities;
 - (b) Allowed uses and restrictions;
 - (c) Vegetation and habitat management; and
 - (d) Long-term funding mechanism(s).
- 5. Lot Arrangement
 - a. Lots shall front on internal streets.
 - b. No more than 20% of lots shall back onto conservation areas without direct access.
- 6. Streets and Roads
 - a. Streets designed as part of a conservation subdivision shall:
 - (i) Minimize impact on conservation areas, including avoiding crossing conservation areas where feasible,
 - (ii) Minimize tree removal,
 - (iii) Follow natural topography, and
 - (iv) Reduce grading and tree removal.
 - b. Minimum right-of way shall be reduced to 40 feet.
 - c. Pavement Width
 - Minimum pavement width is 28 feet. This number may be reduced to 22 feet where parking is limited to one side.
- 7. Drainage and Stormwater
 - a. General
 - (i) Subdivisions shall include drainage systems designed to prevent flooding and protect downstream properties.
 - (ii) Post-development runoff shall not exceed pre-development runoff for the 2-, 10-, and 100-year storm events.
 - (iii) Peak discharge rates shall be reduced by at least 10% where feasible.
 - b. Low Impact Development Requirements
 - (i) At least 50% of stormwater shall be managed using LID techniques.
 - (ii) Required practices:
 - (a) Bioswales along streets;
 - (b) Rain gardens for every 10 lots;
 - (c) Permeable pavement for at least 25% of sidewalks.
 - c. Detention Facilities
 - Detention facilities shall:
 - (i) Be integrated into conservation areas;
 - (ii) Use naturalized design with side slopes no steeper than 4:1.
- 8. Sanitary Sewer
 - Pump stations shall be avoided unless no feasible alternative exists.

26.04.030. Urban Forestry and Landscape

A. Generally

1. Purpose

The purposes of this Section are to:

- a. Provide an environmentally sensitive landscape, quality of life, and amenities in keeping with the natural physical surroundings of the City;
- b. Provide appropriately selected and placed trees that avoid conflicts with utility infrastructure and site uses;
- c. Provide tree canopies to reduce the urban heat island effect and moderate the effects of sun, wind, and temperature changes;
- d. Provide landscaping regulations that help filter pollutants from the air and release oxygen;
- e. Stabilize soil and minimize erosion;
- f. Preserve existing native trees and other physical site values by establishing requirements for replacing removed trees;
- g. Reduce the adverse effects linked to urban rainwater runoff and air quality;
- h. Support biodiversity positive design that protects, conserves, enhances and restores: ecosystem function and connectivity, habitat and connectivity of native flora and fauna;
- i. Increase carbon sequestration through plantings to offset embodied carbon;
- j. Promote nature-based solutions and low-impact development for climate resilience; and
- k. Support climate-positive design that employs local, low-carbon, resource-efficient construction materials and methods, energy-efficient and low or zero fossil fuel maintenance practices, planning for sustainable and low-carbon development, and increased carbon sequestration methods when possible.

2. Applicability

- a. This Section applies to development based on **Table 04-21: Applicability of Urban Forestry and Landscape Standards.**

Table 04-21: Applicability of Urban Forestry and Landscape Standards

Development Stage →	Platting	New Low-Density Residential*	New Non-Residential and High-Density Residential	Residential Additions/Alterations**	Non-Residential Additions/Alterations**
Requirement ↓					
Provision of Forest Area	X				
Tree Preservation	X	X	X	X	X
Landscape Design Standards			X		X
Inventory Analysis		X	X	X	X

Development Stage →	Platting	New Low-Density Residential*	New Non-Residential and High-Density Residential	Residential Additions/Alterations**	Non-Residential Additions/Alterations**
Requirement ↓					

*Except as exempted

**That increase impermeable surface of the site by 10 percent or more than 2,500 square feet, whichever is less

3. Exemptions

This Section does not apply to:

- a. Single-family or duplex residential buildings.
- b. Developments that meet the criteria established in **26.04.040.B.10**.

B. Provision of Forest Area

1. Forest Area Required

- a. A minimum of 20 percent of the total area being platted must be planned as Forest Area to be used for the preservation of trees and related understory vegetation, soil and habitat, based on the intended use of the property, as described in **Table 04-22: Provision of Forest Area Requirements**.

Table 04-22: Provision of Forest Area Requirements

Priority Level* → ↓ Context Area		Very Low	Low	Moderate	High	Very High
Rural						
Less than 5 Acres	Residential	25%	30%	35%	40%	50%
	Non-Residential	20%	25%	30%	35%	40%
5 or More Acres	Residential	30%	35%	40%	45%	50%
	Non-Residential	25%	30%	35%	40%	45%
Suburban						
Less than 5 Acres	Residential	25%	27%	30%	32%	35%
	Non-Residential	20%	25%	27%	30%	32%
5 or More Acres	Residential	30%	35%	40%	45%	50%
	Non-Residential	20%	25%	30%	35%	40%
Urban						

Priority Level* → ↓ Context Area	Very Low	Low	Moderate	High	Very High
Exempt					

*As identified in the *Edmond Forest Composition and Ecosystem Analysis*

Exemptions

- (a) Platting of areas within an approved PUD shall be exempt from the requirements of Provision of Forest Area, provided that those requirements are met, identified, and documented within a PUD that has been approved by the City Council.
- (b) Platting of areas within the Urban Context shall be exempt from the requirements of Provision of Forest Area.
- b. All Forest Area must comply with the following:
 - (i) All required Forest Area must be located within a platted common area that is dedicated and conveyed to all future property owners within the development.
 - (ii) Any areas of impermeable surfaces, bodies of water, sidewalks, parking, pavement, buildings, or other structures must not be credited toward the required Forest Area.
 - (iii) Area within any public or private right-of-way or easement granted for the installation, operation, or maintenance of any street, underground utility, or overhead utility must not be credited to the required Forest Area.

2. Tree Preservation and Protection

a. Purpose

The City of Edmond is located on the edge of the natural range of the Cross Timbers ecoregion, which is characterized by blackjack oak-post oak forest. This ecosystem provides numerous environmental, health, social, and economic benefits. Additionally, this asset contributes to the aesthetic value of the City. The tree preservation standards set forth below seek to:

- (i) Preserve the existing natural landscape character of forested properties in Edmond by encouraging the preservation and health of existing trees, other existing vegetation, and self-sufficient natural systems overall; and
- (ii) Retain environmental benefits efficiently provided by forest ecosystems, such as carbon sequestration, temperature regulation, reduced stormwater runoff, decreased erosion, improved water and air quality, nutrient cycling, and protection of biodiversity and wildlife habitat.

b. Tree Preservation Required

Tree preservation must be provided as follows:

- (i) Tree Canopy Area
 - (a) The Tree Canopy Area must be identified by delineating and measuring the area of tree canopy of any tree(s) or grouping(s) of trees existing on the area to be platted.
 - (b) The location and area measurements of the Tree Canopy Area must be indicated on the Forest Area Plan.
 - (c) Significant, monocultural stands of eastern redcedar and nonnative, invasive species may be excluded from the Tree Canopy Area.
 - (d) Any excluded areas shall be identified by the applicant and are subject to verification by the City.

- (e) Areas without tree canopy shall not count toward the required Tree Canopy Area.
 - (ii) Tree Preservation Area(s)
 - (a) Within the Tree Canopy Area, the Tree Preservation Area(s) must be indicated on the final plat.
 - (b) The amount of Tree Preservation Area must be greater than or equal to the required percent of the area being platted as defined in **26.04.030.B.1.a**, or 80 percent of the initial Tree Canopy Area, whichever is less.
 - i. The area being preserved shall be platted and preserved in a common area on the plat so no additional preservation instrument is required.
 - ii. The minimum Tree Preservation Area shall be 30 feet on all sides.
 - (c) Tree preservation areas shall be actively managed in accordance with the *Edmond Tree and Landscape Guide* to maintain the health and stand composition of the existing plant material type.
 - (iii) Tree removal must not commence until a Preliminary Plat has been approved by Planning Commission, and City Council as applicable, or a tree removal permit, as identified in 8.16.100 of the Code of Ordinances, has been obtained;
 - (iv) Existing Trees
 - (a) When existing trees are present, tree preservation must demonstrate the avoidance of fragmentation by providing contiguous tree preservation areas throughout the area being platted.
 - (b) Existing trees should be preserved along the perimeter of the area being platted and must be preserved along the perimeter where the area being platted abuts an area that does not share the same zoning as the area being platted.
 - (v) Credit for tree preservation shall not be claimed for significant monocultural stands of eastern redcedar, Callery pear, or tree species not native to North America, or others specified for exclusion by landscaping, tree planting, arboricultural, horticultural, forestry, or other manuals maintained by the City.
 - (vi) Developments less than three acres in size shall be exempt from the tree preservation requirement.
 - (vii) Developments within the Urban Context Area shall be exempt from the tree preservation requirement.
- c. Tree Protection Required
- Tree protection must be provided as follows:
- (i) Tree protection must be provided for all trees within all Tree Preservation Areas.
 - (ii) Tree protection must be planned, installed, and maintained in accordance with Preservation Specifications identified in the most recently published edition of The Edmond Tree and Landscape Guide.
 - (iii) Land grading activities are prohibited until all Tree Preservation Areas have been established in accordance with the Forest Area Plan, Preservation Specifications, and associated Tree Removal Permit.
 - (iv) In any instance that trees planned for preservation are impacted as a result of, or related to, any land development and construction activity, additional Forest Area and Tree Preservation Area may be required. If the area impacted causes the amount of preservation provided to become less than the minimum amount required, additional Forest Area and Tree Preservation Area must be identified and protected in an amount equal to or greater than the area affected. In any instance that additional tree

preservation is not available per **26.04.030.C.3.c**, any changes must be submitted to the City as a revised Forest Area Plan.

C. Urban Forest Restoration

1. Purpose and Intent

a. Purpose

The purpose of this Section is to:

- (i) Preserve and expand Edmond's urban forest canopy and native Cross Timbers ecosystem;
- (ii) Establish a lawful and administratively efficient urban forest mitigation program;
- (iii) Allow regulated mitigation for unavoidable tree removal associated with lawful development activity;
- (iv) Encourage long-term preservation, restoration, and planting of native tree canopy and green infrastructure;
- (v) Reduce adverse impacts associated with deforestation, erosion, stormwater runoff, urban heat island effects, habitat fragmentation, and declining biodiversity;
- (vi) Promote integration of nature-based solutions and functional green infrastructure into urban development patterns;
- (vii) Encourage layered landscape systems and ecosystem-service-oriented site design; and
- (viii) Create a transparent framework for fee-in-lieu administration and restoration implementation.

b. Intent

- (i) This Section is intended to supplement:
 - (a) Chapter 26.04.030 Urban Forestry and Landscape;
 - (b) Chapter 26.05 Stormwater Drainage;
 - (c) Applicable subdivision and site design requirements;
 - (d) The Edmond Tree and Landscape Guide; and
 - (e) Applicable provisions of the Engineering Criteria Manual.
- (ii) Nothing in this Section shall be interpreted to:
 - (a) Create transferable development rights;
 - (b) Establish tradable environmental commodities;
 - (c) Create vested rights to tree removal;
 - (d) Require approval of tree removal requests;
 - (e) Limit the City's discretion in applying preservation-first standards; or
 - (f) Authorize removal of trees otherwise protected by federal or state law.

2. Applicability

- (i) The provisions of this Section shall apply to:
 - (a) All development applications subject to tree preservation requirements under this UDC; and
 - (b) Preliminary plats, final plats, site plans, planned unit developments, and construction activities requiring removal of protected trees.
- (ii) Exemptions

The activities exempt from preservation requirements are described in **26.04.030.A.3**.

3. Urban Forest Replenishment Fund

a. Establishment of Fund

The City may establish an Urban Forest Replenishment Fund (UFRF) for the purpose of receiving and administering mitigation payments associated with the unavoidable removal of protected trees.

b. Purpose of Fund

Monies deposited into the UFRF may only be used for:

- (i) Tree procurement;
- (ii) Tree planting on public lands;
- (iii) Tree establishment care on public lands;
- (iv) Urban forest stewardship for tree and forest health and ecosystem restoration;
- (v) Creation of defensible space within the urban-wildland interface, per the recommendations of the *Edmond Tree and Landscape Guide*;
- (vi) Public tree maintenance;
- (vii) Canopy enhancement programs such as *Edmond Tree Grants*;
- (viii) Administration of the UFRF and related projects; and
- (ix) Other urban forestry activities approved by the City Council.

c. Preservation-First Requirement

- (i) Payment-in-lieu shall only be considered after:
 - (a) The applicant demonstrates that avoidance and preservation have been maximized; and
 - (b) The minimum 20 percent preservation requirement is met.

d. Rough Proportionality

- (i) Payment-in-lieu amounts shall maintain a reasonable relationship to the environmental impacts associated with tree removal.
- (ii) Funds collected pursuant to this Section shall be expended for urban forestry, canopy restoration, stormwater enhancement, ecological restoration, or related environmental purposes substantially related to the impacts of development.

e. Payment Schedule

- (i) Payment-in-lieu shall be calculated in accordance with the payment multipliers outlined in **Table 04-23: Urban Forest Replenishment Fund Payment Multipliers**.

Table 04-23: Urban Forest Replenishment Fund Payment Multipliers

Preservation Category → Preservation Claimed ↓	Very Low	Low	Moderate	High	Very High
20-25%	2.0x	2.5x	3.0x	3.5x	4.0x
>25-30%	1.5x	2.0x	2.5x	3.0x	3.0x
>30-35%	-	1.5x	2.0x	2.5x	3.0x
>35-40%	-	-	1.5x	2.0x	2.5x
>40-45%	-	-	-	1.5x	2.0x

Preservation Category → Preservation Claimed ↓	Very Low	Low	Moderate	High	Very High
>45-50%	-	-	-	1.5x	1.5x
50+%	-	-	-	-	-
Key	- = UFRF Not Required				

(ii) Payment Calculation

(a) Payments shall be calculated using the following formula:

$$\text{Payment} = (\text{Acreage Removing}) \times (\text{Payment Multiplier}) \times (\text{Urban Forest Replenishment Unit Cost})$$

f. Deposit and Accounting

All UFRF revenues shall be maintained in a separate municipal account and used exclusively for purposes authorized by this Section.

g. Reporting

The City shall maintain records identifying:

- (i) Mitigation payments received;
- (ii) Expenditures from the UFRF;
- (iii) Canopy restoration activities funded;
- (iv) Tree planting totals; and
- (v) Geographic distribution of funded projects.

4. City-Approved Urban Forest Restoration Projects

a. General

The City may approve urban forestry restoration projects that:

- (i) Expand or preserve urban tree canopy;
- (ii) Restore riparian corridors or watershed function;
- (iii) Reduce stormwater runoff or urban heat island effects;
- (iv) Improve biodiversity or pollinator habitat;
- (v) Improve pedestrian shade and environmental comfort;
- (vi) Enhance climate resilience; or
- (vii) Provide measurable ecosystem-service benefits.

b. Approval Criteria

Urban Forest Restoration Projects may be approved when the project:

- (i) Provides measurable ecological performance benefits;
- (ii) Advances Comprehensive Plan, watershed protection, or resilience goals;
- (iii) Includes enforceable long-term maintenance obligations;
- (iv) Provides public environmental benefit beyond minimum code requirements;
- (v) Includes measurable monitoring standards; and
- (vi) Complies with all applicable laws and regulations.

c. Long-Term Protection

- (i) Restored lands associated with approved restoration projects shall be protected

through:

- (a) Conservation easements;
- (b) Restrictive covenants; or
- (c) Other permanent legal protection mechanisms approved by the City.
- (ii) Financial security for restoration projects shall comply with **26.03.020.F** unless otherwise approved by the Director of Planning and Urban Forester.
- (iii) Monitoring Period
 - (a) All restoration projects shall be monitored for a minimum period of five (5) years.
 - (b) A minimum survival rate of eighty percent (80%) shall be maintained during the monitoring period.
- d. Annual Reporting

Approved restoration project entities or sponsors shall submit annual reports documenting:

 - (i) Tree survival;
 - (ii) Species composition;
 - (iii) Canopy establishment;
 - (iv) Invasive species management;
 - (v) Maintenance activities; and
 - (vi) Corrective actions.

D. Landscape Design Standards

1. Universal Standards

a. Generally

(i) Utility Easements

Trees inside or within 6 feet of any utility easements in the Suburban or Rural Contexts cannot be counted toward the landscaping requirements; such trees in the Urban Context may be counted toward the landscaping requirements. Plantings shall be planned to minimize conflict between the tree, easement access, and utility hardware. Tree species selection and placement shall consider clearances around overhead utility lines.

(ii) Clear Sight Triangles

Traffic control requires that landscaping respect all sight triangles at driveways and intersections as described in **26.04.010.B.6** and be approved for all elements relating to overall traffic control. Plant material with a mature height greater than 24 inches are prohibited in these areas.

(iii) A Natural Resource Evaluation shall be provided prior to the submittal of a preliminary plat or commercial development necessitating a Type I, II, or III Site Plan to verify the size, location, and species of trees to determine the impacts of development on form and biodiversity of the forested area.

b. Landscape Area

- (i) At least 15 percent of the total lot area shall be landscaped, exclusive of public right-of-way, unless specified otherwise. At least 50 percent of this area shall be in the front and/or corner side yards.
 - (a) Lot area dedicated to the outdoor storage and display of vehicles shall be included in the total lot area for determination of provided Landscape Area.
 - (b) Where lot width is less than 40 feet, the required 50 percent of landscape area may

be combined in front of the front and side building face(s).

- (ii) Any landscape area less than 5 feet wide shall not be counted toward the landscape area requirement.
 - (iii) The surface area of a body of water existing on the property shall be excluded from the lot area when the existing body of water will remain.
 - (iv) The surface area of a regulatory flood plain may be excluded from the lot area. Plant material within an excluded area may not be credited toward required plant units.
- c. Plant Unit Requirements
- (i) Plant units are required to be planted or preserved within required landscape areas.
 - (ii) A plant unit is a measurement tool that translates the amount of required plant material into a quantifiable unit.
 - (iii) There shall be a minimum of 30 plant units provided for every 250 square feet of required landscape area.
 - (iv) Plant units shall be distributed evenly across the site, with a minimum of 40 percent of the total plant units required located within the front and/or corner side yards adjacent to any public street and outside any public right-of-way.
 - (v) A minimum of 50 percent of the total plant units required shall be trees, with at least 20 percent of these plant units consisting of trees preserved or provided for in accordance with **Chapter 26.04**.
 - (vi) No single plant species shall account for more than 25 percent of the new plant units on sites where 150 or more plant units are required.
 - (vii) A minimum of 25 percent of the total plant units required shall be evergreen.
 - (viii) A minimum of 50 percent of the total plant units required shall be plants native to the Cross Timbers Ecosystem, as described in the *Edmond Tree and Landscape Guide*.
 - (ix) Species of plants not native to North America that are known to be invasive in the area shall not be planted.
 - (x) **Table 04-24: Plant Unit Requirements** provides plant unit allocation for trees and shrubs. Plant types correspond to the American Standard for Nursery Stock.

Table 04-24: Plant Unit Requirements

Plant Unit Requirements		
Landscape Material	Size for Credit	Plant Units
Type 0 deciduous shrubs, herbaceous perennials, ornamental grasses, and groundcovers	Minimum 1 gal. (or smaller pots in quantity to equal volume)	0.5
Type 1 and 2 deciduous, conifer, or broadleaf evergreen shrub	Minimum height or spread of 15"	2
Type 3 and 4 broadleaf evergreen	Minimum height of 15"	2

Plant Unit Requirements		
Landscape Material	Size for Credit	Plant Units
Type 3 deciduous or conifer shrub	Minimum height of 2'	2
Type 5 and 6 broadleaf evergreen	Minimum height of 7'	10
Type 1 and 2 shade tree	Minimum 2.5" caliper	15
Type 3 and 4 small tree	Minimum 2" caliper	10
Type 4, 5 and 6 conifer	Minimum height of 7'	10

- (xi) Spaded trees may be claimed for credit in accordance with their size, maturity, and/or ecological equivalent in **Table 04-24: Plant Unit Requirements** for new plants.
- (xii) Any plant provided for plant unit credit shall be planted within an area consistent with the following provisions:
 - (a) An edging material should be installed along any border between planting beds and Bermuda grass. Steel, aluminum, stone, and wood composites are acceptable edging materials.
 - (b) Any tree provided for plant unit credit shall be planted in a landscape area of at least 115 square feet.
 - (c) Organic mulch shall be applied to all planting areas. Organic mulch shall consist of material made from living organisms, such as plants and may not include rubber, screening materials (e.g., crushed granite, landscape fabric, mesh) or any material that can leach chemicals into the soil. No more than 25% of a landscape bed shall be covered by rock, gravel, crushed stone, or other mineral covering. No rock is permitted around trees.
 - (d) Any gravel or crushed stone within a landscape area shall be of a size and shape that will prevent the material from being washed, blown, or tracked out of the bed area.
 - (e) All installations should be made in accordance with the *Edmond Tree and Landscape Guide*.
- d. Parking Area Landscaping
 - (i) Generally
 - (a) Off-street parking or vehicular circulation areas in excess of 1,500 square feet shall provide interior landscape areas in accordance with the following:
 - i. Interior landscape areas shall be designed to divide and break up expanses of paving and, at strategic points, to guide traffic flow, direction, and to provide trees within and around the parking area.
 - ii. Interior island and median island requirements may be forgone when including such landscape areas will directly result in reduced forested area preservation.

- iii. No parking area landscape reductions may occur on sites where parking is provided in amounts greater than that required by this UDC.
 - iv. Permeable pavement shall not be used adjacent to any surface water drainage structures.
 - (1) Curb cuts are permitted within parking areas where they contribute to supporting plant health or bioretention or detention requirements.
 - (2) Where curb cuts are installed to support plant health, the design shall be recessed, not mounded.
 - v. Where the width of a required buffer or median cannot be achieved due to physical site constraints (e.g., topography, dumpster locations, driveways), staff may approve an alternative design that reallocates up to 25 percent of the required parking area landscape given that landscape areas are contiguous and connection points are greater than or equal to 5 feet in width.
- (ii) Perimeter Buffer
 - (a) When an off-street parking or vehicular circulation area is located in a front yard, there shall be a landscape area along the entire perimeter of the parking area of not less than 12 feet in width. Said buffer shall contain a minimum of six trees and 30 shrubs per 100 linear feet and meet the plant unit requirements defined in **26.04.030.D.1.c(iii)**.
 - (b) When an off-street parking or vehicular circulation area is located in the side yard, and where the zoning district requires a side yard width of 5 feet or greater, there shall be an improved landscape area along the entire perimeter of the parking area of not less than 5 feet in width. Such buffer shall contain a minimum of six trees and 30 shrubs per 100 linear feet.
 - (c) The required width of all perimeter buffers must be within the property lines of the site.
 - (d) Existing trees shall be preserved and utilized to contribute to the required screening of the off-street parking area.
 - (e) Landscaping shall not encroach on public right-of-way or sight triangles unless specifically authorized.
 - (f) For restaurant drive-thru lanes, lanes located between a public right-of-way and the associated building shall require a 4-foot high continuous, maximum shrub spacing of 18 inches, evergreen hedge along the entire length of the lane and the adjacent right-of-way.
- (iii) Interior Islands
 - (a) An interior landscape island shall be provided for every 12 spaces.
 - (b) Each interior island shall contain a minimum area of 12 x 12 feet inside the pavement edge or curb.
 - (c) One Type 1 or Type 2 shade tree with a minimum caliper of 2.5 inches shall be included in each island, unless in conflict with an overhead public utility, in which case, a utility compatible species may be used. Refer to the *Edmond Tree and Landscape Guide* for species compatibility.
 - (d) The selection of trees shall consider the need for clear sight lines to support vehicular and pedestrian safety in the parking area.
- (iv) Terminal Islands

All parking space bays shall terminate in a curbed landscape island meeting the standards of **26.04.030.D.1.d(iii)**.

- (a) Bays with five or fewer spaces, or when warranted due to adjacent site features such as overhead doors, may provide only one terminal island for that bay, provided the total landscaping within the island is less than 15% of the total landscaping requirements.
- (v) Median Islands
 - (a) A median island landscape area with a minimum width of 12 feet inside the pavement edge or curb shall be sited between every three double parking rows and shall be provided along principal internal and external access drives. Said median shall meet the plant unit requirements defined in **26.04.030.D.1.c(iii)** and shall contain a minimum of six trees and 30 shrubs per 100 linear feet.
- e. Deduction of Forested Areas or Native Plant Communities

Forested areas and areas of native plant cover within a site may be deducted from the total lot area when the following criteria are met:

 - (i) The area is limited to the extent of a stand of trees or native vegetation of maturity, density, condition, and vigor sufficient to maintain the ecosystem health after development of the site.
 - (ii) Maintenance of the area conserves the health and stand composition of the existing plant material type.
 - (iii) The area has contiguous plant cover measuring at least 10,000 square feet, uninterrupted by easements, or is part of a smaller area connected to one.
 - (iv) The area has a minimum width of 100 feet, uninterrupted by easements. Easements within an area will constitute the edge of the deducted area.
 - (v) The area is protected and managed in accordance with the most recently published edition of the *Edmond Tree and Landscape Guide*.
 - (vi) Plant material within the deducted area is not credited toward the required plant units.
 - (vii) Areas containing primarily invasive species (e.g., Callery pear, Chinese Pistache, eastern red cedar) shall not be deducted unless a management plan and mitigation measures have been approved by the Urban Forester.
 - (viii) Areas deducted from the total lot area shall be evaluated, conserved, and protected in accordance with the most recent version of the *Edmond Tree and Landscape Guide*.
- f. Tree Preservation
 - (i) In order to preserve existing trees, trees that are evaluated and preserved in accordance with the most recently published edition of the *Edmond Tree and Landscape Guide* may be awarded plant unit credits. Plant unit credits for preserved trees are calculated by multiplying the number of trees per diameter class by their plant unit value. For large areas of trees, not every tree needs to be measured. Simpler methods may be used in estimating plant unit totals for large areas of trees or "stands." These are listed in the *Edmond Tree and Landscape Guide*. Tree credit is awarded as provided in **Table 04-25: Plant Unit Credits**.

Table 04-25: Plant Unit Credits

Tree Diameter at Breast Height (DBH) →	2.0" – 3.9"	4.0" – 8.9"	9.0" – 13.9"	14" and greater
Priority Level* ↓				

Tree Diameter at Breast Height (DBH) →		2.0" – 3.9"	4.0" – 8.9"	9.0" – 13.9"	14" and greater
	Very High	15.5	18.5	22	25
	High	15	18	21	24
	Moderate	14	17	20	23
	Low	13.5	16.5	19	22
	Very Low	13	15.5	18	21
Areas Under 5 Acres		12.5	15	17.5	20

*As designated in the most recently adopted *Forest Composition and Ecosystem Analysis* prioritization map.

- (ii) An additional 25 percent multiplier of the base points may be claimed for preserved trees of species native to the Cross Timbers Ecosystem, as described in the *Edmond Tree and Landscape Guide*.
 - (iii) An additional 25 percent multiplier of the base points may be claimed for preserved trees within a buffer area. A buffer area is defined as the land area between the limits of any past or future construction activities and the property lines of the site.
 - (iv) Cottonwoods (*Populus deltoides*) and Eastern Red Cedar (*Juniperus virginiana*) less than 12 inches DBH shall not be credited as plant units.
 - (v) Species not native to North America that are known to be invasive in the area shall be ineligible for preservation credit.
 - (vi) All trees committed to preservation shall include a tree preservation plan regardless of points allocated. The tree preservation plan shall be prepared in accordance with the *Edmond Tree and Landscape Guide*. The plan shall be integrated with the site grading and demolition plans. The plan shall include the following items:
 - (a) The location of trees to be retained.
 - (b) The location of tree root protection zones.
 - (c) The location of tree protection zone barriers.
 - (d) Detail drawings and specifications for tree preservation methods and devices.
 - (e) Location and detail of soil erosion controls adjacent to tree protection zone barriers.
 - (f) Schedule of implementing tree preservation practices as it relates to phases of site development.
 - (vii) Where trees required by **26.04.030** cannot be provided through preservation in accordance with this Section, a fee-in-lieu of preservation may be provided in accordance with established **26.04.030.C**.
- g. Landscape Installation
- (i) Plant material shall be installed according to the landscape plan approved by the Director of Planning or their designee.
 - (a) Plant species substitutions and minor adjustments may be made on site, with the approval of the Urban Forester and when such changes result in no reduction of plant units from the approved Site Plan or plant material required in this Section.
 - (ii) Plant unit credit shall not be given for plant material that does not meet the minimum size requirements identified in this Section.

- (iii) All plant material shall be in good condition, free of disease, insect infestation, freeze damage, sunscald, or other defects such as abrasions or disfigurement.
 - (iv) Trees shall be planted in accordance with the latest version of the *Edmond Tree and Landscape Guide*, with emphasis on the following specifications. Trees planted in a manner that does not comply with these specifications shall not be considered to meet the requirements of the Site Plan.
 - (a) The root collar shall be even with or up to 2 inches above the surrounding grade, with no soil backfilled on top of the root ball.
 - (b) All root ball supporting materials shall be cut off from the top third of the root ball and removed from the planting hole prior to final back filling.
 - (c) Organic mulch shall be applied to a minimum depth of 3 inches, extending from near, but not touching, the trunk to an area at least twice as wide as the root ball of the tree.
 - (v) Tree protection zones shall be installed in accordance with the *Edmond Tree and Landscape Guide* and inspected prior to land disturbance. Tree protection measures shall remain in place throughout the duration of the project.
 - (vi) Soil compaction and planting area preparation shall be done in accordance with the *Edmond Tree and Landscaping Guide*.
 - (a) No vehicles, equipment, or staging shall be permitted in landscape areas which will be claimed toward the required landscape area.
 - (b) Compaction and impacts to these areas shall not be considered to count towards required landscape area without remediation in accordance with the *Edmond Tree and Landscape Guide*.
- h. Landscape Maintenance
- (i) All existing landscaping improvements shall be maintained in a live and healthy condition, as described in an approved landscaping plan. It shall be the continuing duty of the property owner, to maintain plant material in a live and healthy condition and, if necessary, to replace any dead, diseased, or damaged plants as soon as natural conditions allow.
 - (ii) Tree maintenance shall be conducted in accordance with standards in the *Edmond Tree and Landscape Guide*.
 - (iii) Pruning activities violating the following standards shall constitute a requirement for replacing the tree on which the maintenance occurred:
 - (a) Not more than 25 percent of a tree's crown shall be removed within an annual growing season.
 - (b) Branches shall be retained on at least 50 percent of the length of the trunk.
 - (c) Staking material shall be removed within one year of the landscape inspection approval date.
 - (d) Exceptions:
 - i. Restoration pruning, where approved by the Urban Forester, for topped or lions-tailed trees is permissible in lieu of removal when performed by an ISA Certified Arborist.
 - (iv) Screening shrubs shall not be pruned in a way that prevents them from reaching the 4-foot height and maximum 18-inch spacing required for a continuous screen.
 - (v) Replacements or Modifications
 - (vi) Any plant damaged or otherwise required to be replaced within an existing landscape

shall be evaluated as follows:

- (a) For trees, the landscape plant unit value for preserved trees, as established in this Section and including applicable multipliers, shall be determined. Replacement trees shall be planted on the site in a quantity so that the associated new plant unit values are not less than the preserved value of the trees being removed.
 - (b) All other plant material shall be replaced with a plant of the same type, as identified in the table for new plant material.
 - (vii) All tree preservation and deducted areas provided in accordance with **26.04.030** and **26.04.030.B.2.b(ii)** shall be maintained in a live and healthy condition. It shall be the continuing duty of each succeeding property owner to keep the preservation or area intact.
 - (a) Tree preservation areas, forested areas, or native plant areas shall be actively managed in accordance with the *Edmond Tree and Landscape Guide* to maintain the health and stand composition of the existing plant material type. Management should minimize the presence and establishment of invasive species not native to North America, eastern red cedar, cottonwood and potential nuisance plant types or species that threaten the health and balance of the plant community.
 - (b) If changes or damages occur within the tree preservation area the owner must retain the area in a natural state and replant naturally occurring trees in that area, as detailed in the *Edmond Tree and Landscape Guide*.
 - (c) In the event of a failure of the preservation effort due to human activity in any area set aside that results in more than 15 plant units lost, additional plant material shall be required based on the preservation plant units lost. The plant units lost shall be replaced regardless of the original total plant unit requirement for the entire site.
2. Rural Context Area Standards
- a. Preserve existing plantings along frontage with a minimum preservation depth of 30 feet from the frontage, except where necessary for the construction of a driveway and related sight triangles (see **26.04.010.B.6**).
 - b. On sites with expansive existing canopy, prevent fragmentation.
3. Suburban Context Area Standards
- a. Generally
 - (i) Preserve existing plantings along frontage, where possible, to include in perimeter buffer.
 - (a) Along arterials as identified on the Throughfare Plan, as amended, existing plantings within 30 lateral feet of frontage shall be preserved unless necessary for infrastructure installation.
 - b. Required Landscape Buffer
 - (i) For all nonresidential development, a minimum 10-foot landscape buffer adjacent to the right-of-way of any street shall be required.
 - (ii) Required landscaping shall be planted within the landscape buffer.
 - (iii) A minimum of 20 live plant units, including at least one tree, for every 50 linear feet of street frontage shall be required within the landscape buffer.
 - (iv) At least 50 percent of the total plant material shall be species that are native to the Cross Timbers ecosystem or regional area.
4. Urban Context Area Standards

- a. Generally
 - (i) Where property within the Urban Context Areas is subject to the adopted Downtown Streetscape Standards, the more stringent requirements shall apply.
 - (ii) If no pervious surface is required by the zoning district, or streetscape landscape is provided, no Landscape Area is required.
 - (iii) If no off-street parking is provided, no Parking Area Landscaping is required.
- b. Street Trees Required
 - (i) In all Urban Districts, trees shall be planted according to the *Downtown Streetscape Standards*.
 - (ii) In the **Urban – Core District**, a minimum of 15 tree plant units for every 35 linear feet of street frontage shall be required.
 - (iii) In the **Urban – Transition District**, a minimum of 15 tree plant units for every 35 linear feet of street frontage shall be required.
 - (iv) In the **Urban – Edge District**, a minimum of 15 tree plant units for every 35 linear feet of street frontage shall be required.

26.04.040. Site Design Procedures

A. Site Plans

1. Purpose

The Site Plan process grants the Director of Planning the authority to review proposed development and ensure compliance with all established standards of the UDC prior to authorizing construction activity.

2. Applicability

- a. Site Plan review is required for all new construction of structures, expansion or alteration of existing structures, and construction or alteration of site features including, but not limited to, landscaping, preservation areas, lighting, drainage, easements and utilities, screening and fencing, and site lighting as defined in **26.04.010** and **26.04.030**.
- b. No building permit shall be issued without approval of the Site Plan, when applicable, by the Director of Engineering. All improvements shown on the approved Site Plan shall be constructed or installed at the time of development unless otherwise approved. All buildings and site work shall be completed in accordance with the approved Site Plan.
- c. Adherence to an approved Site Plan shall be a continuing obligation of the applicant. Any changes from the approved Site Plan shall be in accordance with **26.04.040.C**.
- d. Approval of the Site Plan does not exempt the applicant from compliance with other applicable building or construction standards or codes in effect.

3. Site Plan Contents

a. Generally

Site Plans shall contain all the information about a site necessary for the Director of Planning to ensure the proposed development complies with the standards of the UDC. This generally includes the location and dimensions of the site, building setbacks and easements, building footprints, and other impervious surfaces, and other site improvements and structures. This Site Plan, exclusive of other Submittal Requirements as established below, may be referred to as a Layout Plan or Plot Plan.

- (i) Contents: The specific contents of this Plan shall be established in a list maintained by the City and made available to the public.

4. Site Plan Types

- a. All Site Plans shall be categorized into one of the types established in **Table 04-26: New Construction Site Plan Types** or **Table 04-27: Alteration Site Plan Types** based on proposed development components and site features. The Site Plan type determines the submittal requirements as outlined in subsection 5.
- b. A proposed alteration must meet three total criteria within a given type to be classified as that type. If a proposed development does not meet three total criteria within any Site Plan type, it shall be considered a Type 0.

Table 04-26: New Construction Site Plan Types

Type	Use Subcategory*	Submittal Requirements
0	Low-Density Living	Landscape Plan Grading and Stormwater Plan
I	High-Density Living	Landscape Plan Parking Plan
	Group Living	

Type	Use Subcategory*	Submittal Requirements
	Agricultural	Lighting Plan
	Child Care Facilities	Façade Plan Grading and Stormwater Plan
II	Artisan Industry	Landscape Plan
	Office and Professional Services	Parking Plan
	Public and Civic Uses	Lighting Plan
	Overnight Accommodations	Façade Plan
	Retail Sales and Service	Grading and Stormwater Plan
III	Light Industrial	Landscape Plan
	Heavy Industrial	Parking Plan
	Vehicle and Equipment Sales or Service	Lighting Plan
	Marijuana Uses	Façade Plan
	Entertainment and Recreation	Grading and Stormwater Plan

*Use Subcategory from Table 02-3: Use Table

Table 04-27: Alteration Site Plan Types

Type	Purpose	Building Criteria	Site Criteria	Submittal Requirements
0	Alteration of Low-Density Living uses	1. Addition or alteration of existing building	A. Site disturbance of 5-9% of the property's total area	Landscape Plan Grading and Stormwater Plan
I	Alteration of High-Density Living, Group Living, and Agricultural Uses	1. 0-10% increase in gross floor area 2. 0-10% increase in building height	A. 0-10% increase in impervious surface B. 1,000+ feet from the nearest Residential property line to the nearest subject property line C. Drive access and/or frontage on a private, local, or collector street D. Site disturbance of 10-20% of the property's total area	Landscape Plan Parking Plan Grading and Stormwater Plan Façade Plan Utility Plan
II	Alteration of low impact nonresidential uses	1. 11-30% increase in gross floor area 2. 11-30% increase in building height	A. 11-30% increase in impervious surface B. 501-999 feet from the	Landscape Plan Parking Plan Grading and Stormwater Plan Façade Plan

Type	Purpose	Building Criteria	Site Criteria	Submittal Requirements
		3. Age of existing structure(s) is 15-24 years	nearest Residential property line to the nearest subject property line C. Drive access and/or frontage on a collector, minor, or major arterial D. Site disturbance of 21-30% of the property's total area	Utility Plan
III	Alteration of high impact nonresidential uses	1. 31% + increase in gross floor area 2. 31%+ increase in building height 3. Age of structure(s) is 25 or more years	A. 31% + increase impervious surface B. 500 feet or less from, or abutting, the nearest Residential property line C. Drive access and/or frontage on a collector, minor, or major arterial D. Site disturbance of 31% + of the property's total area	Parking Plan Landscape Plan Lighting Plan Façade Plan Grading and Stormwater Plan Utility Plan

B. Submittal Requirements

1. Generally

- a. All submittals shall consist of digitally produced plans, depicted to scale and including a scale bar, a north arrow or equivalent annotation, and all other information required to evaluate the compliance of the proposed development with the UDC.
- b. All submittals shall be completed, stamped, and signed by an engineer, architect, or landscape architect licensed in the State of Oklahoma, or another licensed professional as approved by the Director of Planning.

2. Urban and Overlay EDRB Concept Review

- a. Purpose: The Concept Review for proposed development and construction activity in the Urban Context Area and the Corridor Overlay Districts enables the Edmond Design Review Board to assess proposals against the special provisions and purposes of each Overlay District, and/or against the special provisions, historic character, and unique development opportunities of Edmond's Urban Context Areas.

- b. Contents: The specific contents of this Plan shall be established in a list maintained by the City and made available to the public.
- 3. Parking Plan
 - a. Purpose: The Parking Plan enables the Director of Planning or Director of Engineering to evaluate the compliance of the location and dimensions of parking facilities on the site, including vehicle parking, bicycle parking, vehicle loading areas, and vehicle stacking areas, as well as circulation facilities within the parking area, and access to the parking facilities from rights-of-way, other parking facilities, or other areas beyond the site.
 - b. Contents: The specific contents of this Plan shall be established in a list maintained by the City and made available to the public.
- 4. Landscape Plan
 - a. Purpose: The Landscape Plan enables the Director of Planning or Director of Engineering to evaluate the compliance of the location, quantities, dimensions, and species or other characteristics of proposed landscape features on the site, including buffers and open space, forest and existing tree preservation, vegetative ground cover, trees and shrubs, and other plantings.
 - b. Contents: The specific contents of this Plan shall be established in a list maintained by the City and made available to the public.
- 5. Lighting Plan
 - a. Purpose: The Lighting Plan enables the Director of Planning or Director of Engineering to evaluate the compliance of the location and dimensions of outdoor lighting facilities, and to ensure compliance with standards promoting effective illumination of outdoor spaces for public health and safety, as well as standards mitigating against light trespass and light pollution.
 - b. Contents: The specific contents of this Plan shall be established in a list maintained by the City and made available to the public.
- 6. Façade Plan
 - a. Purpose: The Façade Plan enables the Director of Planning or Director of Engineering to evaluate the compliance of the dimensions, materials, colors, fenestration, and other components of proposed building façades.
 - b. Contents: The specific contents of this Plan shall be established in a list maintained by the City and made available to the public.
- 7. Grading and Stormwater Plan
 - a. Purpose: The Grading and Stormwater Plan enables the Director of Planning or Director of Engineering to evaluate the compliance of proposed site disturbance, finished grades, impervious surface coverage, drainage infrastructure, low-impact development techniques, and other site features as needed to ensure effective management of stormwater.
 - b. Contents: The specific contents of this Plan shall be established in a list maintained by the City and made available to the public.
- 8. Utility Plan
 - a. Purpose: The Utility Plan enables the appropriate City departments and utility providers to evaluate the location and general configuration of existing and proposed utility facilities necessary to serve the development; identify and address potential conflicts between utilities, buildings, site improvements, easements, and other proposed facilities; and evaluate compliance with applicable City and utility requirements.

- b. Contents: the specific contents of this Plan shall be established in a list maintained by the City and made available to the public.
 - (i) For developments served by Edmond Electric, proposed electric distribution facilities and infrastructure shall be depicted in accordance with **26.04.020.K** and applicable Edmond Electric requirements, standards, and specifications.
- 9. Alternative Compliance
 - a. Applicability
 - (i) The Alternative Compliance process grants the Director of Planning or Director of Engineering the authority to administratively modify certain standards established in **Chapter 26.04**, and to thereby approve Site Plans depicting features representing the intent of this Chapter and of the City's adopted plans and policies without strict compliance.
 - (ii) Alternative Compliance shall not be granted to reduce or increase a standard without a commensurate provision of alternative site design and development features.
 - (iii) Standards subject to Alternative Compliance are:
 - (a) Setback and yard dimensions (See **26.02.020**)
 - (b) Building height (See **26.02.020**)
 - (c) The required number of parking spaces (See **Table 02-3: Use Table**)
 - (d) The location, dimensions, or design of vehicle loading spaces (See **26.04.010.C** and **26.04.010.D**)
 - (e) The location, design, or number of vehicle stacking spaces (See **26.04.010.D**)
 - (f) Multifamily, Nonresidential, and Mixed-use form standards, specifically:
 - i. The location and dimension of façade offsets/building articulation (See **26.04.010.E.3.b(i)** and **26.04.010.E.3.c(i)**)
 - ii. Design elements (See **26.04.010.E.3.b(iv)**)
 - iii. Amenities (See **26.04.010.E.3.b(vi)**)
 - (g) Fence location (See **26.04.010.G.3.b**)
 - (h) Fence design (See **26.04.010.G.3.c**)
 - (i) Lighting height (See **26.04.010.H.3.f**)
 - (j) Forest area required (See **26.04.030.B.1**)
 - (k) Tree preservation required (See **26.04.030.B.2**)
 - (l) Landscape area (See **26.04.030.D.1.b**)
 - (m) Plant unit requirements (See **26.04.030.D.1.c**)
 - (n) Parking area landscaping (See **26.04.030.D.1.d**)
 - b. Alternative Compliance Process
 - (i) Initiation
 - (a) An application for Alternative Compliance shall be submitted to the Director of Planning or Director of Engineering concurrently with a complete Site Plan using a form established by the Director of Planning or Director of Engineering, in accordance with **26.01.050.B**.
 - (ii) Completeness
 - (a) See **26.01.050.B.2.b**
 - (iii) Notices and Hearings
 - (a) Alternative Compliance does not require public notice or hearings.

- (iv) Decision
 - (a) The Director of Planning shall review the Alternative Compliance and shall act to:
 - i. Approve the Alternative Compliance;
 - ii. Deny the Alternative Compliance
- (v) Criteria
 - (a) For any quantitative standard measuring the distance, area, volume, or number of a site feature, the Director of Planning or Director of Engineering may reduce or increase the standard by up to ten percent (10%) in exchange for the provision of alternative desirable site features in equal or greater quantity.
 - i. In the Urban Context Area, the Director of Planning or Director of Engineering may reduce or increase the standard by up to twenty-five percent (25%) in exchange for the provision of alternative desirable site features in equal or greater quantity.
 - (b) For any non-quantitative standard such as location or the presence of amenities, the Director of Planning or Director of Engineering may approve alternative locations or amenities provided that such modification(s) will not adversely impact adjacent properties.
 - i. In the Urban Context Area, the Director of Planning or Director of Engineering may permit the construction of Accessory Dwelling Units in front of the front elevation of the principal dwelling unit provided that this will not adversely impact adjacent properties, and demonstrates provision of alternative desirable site features as outlined in c.
 - (c) Provision of Alternative Desirable Site Features
 - i. When reviewing alternative site features as proposed, the Director of Planning or Director of Engineering shall consider the following criteria to determine whether such features adequately achieve the intent of this UDC:
 - (1) The alternative features will better mitigate against adverse impacts to abutting properties.
 - (2) The alternative features will provide a greater quantity, variety, and/or durability of landscape features, including tree preservation and protection and landscape plantings.
 - (3) The alternative features will provide low-impact development features for the purpose of stormwater management.
 - (4) The alternative features will provide greater façade articulation and/or roofline variation, or step-backs along a building's height.
 - (5) The alternative features will provide additional architectural design elements and amenities as established in **26.04.010.E.3.b(i)**, **26.04.010.E.3.c(i)**, **26.04.010.E.3.b(iv)**, and **26.04.010.E.3.b(vi)**.
 - (6) The alternative features will provide more street-level fenestration.
 - (7) The alternative features will provide greater area and/or enhancement of the public realm (e.g., additional streetscape furniture, lighting, trees, waste receptacles and similar amenities, and/or the creation of novel public space).
 - (8) The alternative features will provide additional bicycle parking or storage facilities, and/or improved bicycle and pedestrian circulation options and safety features.

- (9) The alternative features will equally or better advance the goals established in the Comprehensive Plan.
 - (10) The alternative features provide more sustainable alternatives, protect or support biodiversity, mitigate climate impacts, reduce carbon emissions, reduce heat islands, increase shade, provide increased seasonal interest via improved landscape (minimum 6 trees and 30 shrubs per 100 linear feet) areas in focal points, use of recycled building materials or locally sourced materials, modified soils on existing sites to capture stormwater runoff and increase landscape area, sod conversion to groundcovers and native plant/tree species.
- (d) The Director of Planning or Director of Engineering shall not approve any Alternative Compliance which:
 - i. Is detrimental to the health, safety, and welfare of the public; or
 - ii. Results in greater adverse impacts such as noise, glare, heat, odor, or vibration on adjacent properties than would be caused by strict compliance with established standards;
 - iii. Fails to advance or impedes the City's pursuit of the goals established in the Comprehensive Plan; or
 - iv. Fails to demonstrate alternative desirable site features affecting the intent and standards of this UDC.
- (vi) Subsequent Applications
 - (a) Not applicable.
- (vii) Appeals
 - (a) See **26.01.050.I.**
- c. Scope of Approval
 - (i) After Alternative Compliance is approved, the Director of Planning or Director of Engineering may apply the approval to a pending Site Plan review. Once the Alternative Compliance and the Site Plan are approved, the Director of Planning or Director of Engineering may issue a building permit or certificate of occupancy consistent with any conditions of Alternative Compliance and Site Plan approval.
- d. Recordkeeping.
 - (i) The applicant and Director of Planning or Director of Engineering shall maintain a copy of the approved Alternative Compliance.
- 10. Conformance Thresholds during Alterations
 - a. For Alterations Site Plans without SUPs, regardless of whether there is a change of use, the Director of Planning may approve submitted plans that demonstrate site designs and features deficient of the minimum standards established elsewhere in this Code. They may also deny such plans on the basis of existing nonconformities, failures to preserve the health, safety, and welfare of the public, or other failures to meet the standards or intent of this UDC. They may render a decision according to the following parameters:
 - (i) Parking Plan
 - (a) Where no increase in gross floor area is occurring, the applicant may submit a Parking Plan or equivalent documentation demonstrating no increase in provided parking facilities, nor any changes in access or circulation patterns.
 - (b) Where the gross floor area is increasing by no more than 30%, the applicant may submit a Parking Plan demonstrating provision of at least 60% of the minimum

number of vehicle and bicycle parking spaces, and may utilize the same access and circulation patterns as exist on the property.

- (c) Where the gross floor area is increasing by more than 30%, the applicant must submit a Parking Plan demonstrating provision of 100% of the required parking ratio, and parking facility, access, and circulation design compliant with the standards of this Code.

(ii) Landscape Plan

- (a) Where site disturbance is no more than 20% of a property's total area, and impervious surface coverage, inclusive of parking areas, is increasing by no more than 10%, the applicant may submit a Landscape Plan or equivalent documentation demonstrating no changes from existing landscaping features including provided forest area, tree preservation, and installed plant units.
- (b) Where site disturbance exceeds 20% of a property's total area but does not exceed 30%, or an increase in impervious surface coverage exceeds 10% but does not exceed 30%, the applicant may submit a Landscape Plan demonstrating provision of at least 60% of the required plant unit installation including trees, shrubs, and vegetative ground cover.
- (c) Where site disturbance exceeds 30% of a property's total area, or where an increase in impervious surface coverage exceeds 30%, the applicant must submit a Landscape Plan demonstrating provision of 100% of the required plant unit installation including trees, shrubs, and vegetative ground cover.
- (d) All Site Plans, regardless of proportion of site disturbance or increase in impervious surface coverage, must demonstrate protection of existing trees and of existing forest area in accordance with the requirements of this UDC.

(iii) Lighting Plan

- (a) Where the nearest property line of a site is more than 500 feet from the nearest Residential property line, the applicant may submit a Lighting Plan or equivalent documentation demonstrating no change from the existing outdoor lighting facilities.
 - i. For all uses other than Low-Density Living, a property without outdoor lighting at the time of alteration must submit a Lighting Plan demonstrating the provision of outdoor lighting facilities useful to the navigation of vehicles and pedestrians through parking facilities, and/or for pedestrians and other travelers along sidewalks, bike paths, trails, and other such non-vehicular thoroughfares.
 - (1) Such required facilities shall be installed according to the requirements of **26.04.010.H.**
- (b) For alterations to sites on which meet the criteria below, the applicant must submit a Lighting Plan demonstrating full compliance with the requirements of **26.04.010.H.**
 - i. The nearest property line is 500 feet or fewer from the nearest Residential property line; and
 - ii. The applicant has met the threshold for provision of at least 60% of the total required parking as established in **26.04.040.B.10.a(ii).**

(iv) Façade Plan

- (a) Where any increase in gross floor area or building height is not more than 20%, the applicant may submit a Façade Plan demonstrating that all newly added façade

area shall be fully compliant with **26.04.010.E** without changes to existing façade area.

- (b) Where any increase in gross floor area or building height is greater than 20% but not more than 30%, the applicant may submit a Façade Plan demonstrating that all newly added façade area shall be compliant with **26.04.010.E**, and any nonconforming façades facing public rights of way will be brought into conformity with the standards of **26.04.010.E**.
- (c) Where any increase in gross floor area or building height is greater than 30%, the applicant must submit a Façade Plan demonstrating that all newly added façade area shall be compliant with **26.04.010.E**, and that all existing façades shall be brought into conformity with the standards of **26.04.010.E**.

Table 04-28: Alterations Compliance Thresholds

Plan Type	Threshold / Condition	Required Submittal & Compliance Level
Parking Plan	No increase in gross floor area	Parking Plan demonstrating no increase in parking and no change in access or circulation
	Gross floor area increase $\leq 30\%$	Parking Plan demonstrating at least 60% of required vehicle and bicycle parking; existing access/circulation allowed
	Gross floor area increase $> 30\%$	Parking Plan demonstrating 100% of required parking and full code-compliant access and circulation
Landscape Plan	Site disturbance $\leq 20\%$ AND impervious increase $\leq 10\%$	All modification/alteration projects shall replace plant material/trees in accordance with the 26.04.030.D.1.h if the proposed alterations impact existing trees or landscaping, regardless of whether there is an approved landscape plan. Existing landscape areas, trees, or plants cannot be reduced unless they are replaced with a similar type.
	Site disturbance $> 20\%$ and $\leq 30\%$ OR impervious increase $> 10\%$ and $\leq 30\%$	
	Site disturbance $> 30\%$ OR impervious increase $> 30\%$	
	All Site Plans	
Lighting Plan	Nearest property line > 500 ft from Residential	No change to existing outdoor lighting

Plan Type	Threshold / Condition	Required Submittal & Compliance Level
	> 500 ft from Residential and no existing lighting (non-LDL uses)	Provide outdoor lighting for vehicle and pedestrian navigation per 26.04.010.H
	Nearest property line ≤ 500 ft from Residential	Lighting Plan demonstrating full compliance with 26.04.010.H
Façade Plan	GFA or height increase ≤ 20%	New façade areas compliant with 26.04.010.E ; existing façades unchanged
	GFA or height increase > 20% and ≤ 30%	New façades compliant; nonconforming public-facing façades brought into compliance
	GFA or height increase > 30%	All new and existing façades brought into full compliance with 26.04.010.E

11. Review Process

a. General

All Site Plan submittals shall be in the form of and correctly contain all information and/or language required by the Site Plan review checklist maintained by the Planning Department.

b. EDRB Reviews

- (i) After reviews and revisions of the concept plan, the EDRB will issue an approval of the concept, signed by the Chair of the Board.

c. Plan Submittal Phasing

Upon determination of completeness of a Layout Plan, additional plans as indicated in **26.04.040.B** shall be submitted to the City in order for the Site Plan application to be fully reviewed.

- (i) Applicants may submit 100% complete design plans at the beginning of the review process; or
- (ii) Applicants may submit a 100% complete Layout Plan, and upon determination of completeness, may submit other plans as required in **26.04.040.B** in any order at different times in the review process.

d. Site Plans with Alternative Compliance

- (i) The Director of Planning is responsible for approving a Site Plan with one or more associated requests for Alternative Compliance.
- (ii) The Director of Planning shall review proposed Alternative Compliance and correspond with the applicant to determine compliance with the requirements of this UDC.
- (iii) The Director of Planning will inform the applicant of their decision, and process the Site Plan according to the prescribed review process as determined by whether the Site Plan is associated with a Special Use Permit (SUP) or not.

- e. Site Plans without Special Use Permits (SUPs)
 - (i) The Director of Planning is responsible for approving a Site Plan with no associated Special Use Permit if it meets all the requirements of this UDC.
 - (ii) The Director of Planning may authorize review and approval of a Site Plan simultaneously with review and approval of a Building Permit or other plans required by this UDC.
 - (iii) The Director of Planning will inform the applicant of their decision, identify any deficiencies, and provide instructions for the resubmittal of corrected plans, if applicable.
- f. Site Plans with Special Use Permits (SUPs)

A Site Plan submitted as part of an SUP requires a public meeting and decision by the Planning Commission and City Council.

12. Review Criteria

In determining whether to approve, approve with conditions, or deny a Site Plan application, the decision-maker shall consider the following factors:

- a. Consistency with the applicable provisions of this UDC;
- b. Compliance with other applicable City regulations; and
- c. Compliance with an approved PUD Master Design Statement and requested variances, if applicable.

13. Decisions

- a. Site Plans with Alternative Compliance
 - (i) The Director of Planning shall review and act on the Alternative Compliance as established in **26.04.040.B.9.b**
 - (ii) The Director of Planning shall then review the Site Plan inclusive of the Alternative Compliance and all other submittal requirements applicable to the Type of Site Plan provided, and act to:
 - (a) Approve the Site Plan; or
 - (b) Deny the Site Plan.
- b. Site Plans without SUPs
 - (i) The Director of Planning shall review the Site Plan, inclusive of all submittal requirements applicable to the Type of Site Plan provided, and shall act to:
 - (a) Approve the Site Plan; or
 - (b) Deny the Site Plan.
- c. Site Plans with SUPs
 - (i) The Director of Planning shall review the Site Plan, inclusive of all submittal requirements applicable to the Type of Site Plan provided, and shall render a recommendation to the Planning Commission to:
 - (a) Approve the Site Plan;
 - (b) Deny the Site Plan; or
 - (c) Approve the Site Plan with conditions.
 - (ii) The Planning Commission shall consider the Site Plan with an SUP at a public hearing and shall render a recommendation to the City Council to:
 - (a) Approve the Site Plan;
 - (b) Deny the Site Plan; or

- (c) Approve the Site Plan with conditions.
- (iii) The City Council shall consider and take action on the Site Plan with an SUP at a public hearing.

C. Changes to an Approved Site Plan

1. The Director of Planning may approve changes requested by the applicant to a Site Plan that was originally approved administratively without requiring the applicant to submit a new Site Plan if the Director of Planning determines that the modified Site Plan substantially conforms to the previously applied Site Plan; otherwise, a new Site Plan submittal is required.
 - a. An applicant may request a review of the changes by the Planning Commission instead of submitting a new Site Plan.
2. Changes to a Site Plan approved in conjunction with an SUP or a Site Plan that would affect an approved PUD Master Design Statement may be approved, approved with conditions, or denied by the Director of Planning without complete resubmittal of the application if such changes are minor according to the criteria below:
 - a. Approved lot dimensions, yards and structure heights shall not be varied.
 - b. Principal structure locations shall vary by no more than 10 feet in any direction within the development in residential districts and in lots abutting residential districts provided that the building is not moved closer to the abutting residential development.
 - c. Dwelling unit type, density or floor area shall not be changed.
 - d. No change shall alter the basic intent of the original approved Site Plan or PUD Master Design Statement.
 - e. Screening materials may be altered provided they are of an equivalent level of intensity, as established in Table 04-17: Screening Types, as that which was originally approved.
 - f. Building materials may be altered provided they remain compliant with **26.04.010.E.3.b(ii)**.
3. If the location of the plant material, species or quantity, or tree preservation plan is altered from the approved Site Plan/landscape plan, a revised landscape plan/tree preservation plan is required prior to any inspection for a certificate of occupancy.
4. Changes to the Site Plan may require additional reviews for other permits.
5. Review Processes
 - a. General

All applications for a Change to an Approved Site Plan shall be in the form of and correctly contain all information and/or language required by the review checklist maintained by the Planning Department.
6. Decisions
 - a. Minor Changes
 - (i) The Director of Planning shall review the request for change according to the criteria in **26.04.040.C.1** and **26.04.040.C.2**, and, if the proposed change is found to be eligible for administrative decision, shall act to:
 - (a) Approve the proposed change; or
 - (b) Deny the proposed change.
 - b. Major Changes
 - (i) The Director of Planning shall review the proposed change according to the criteria in **26.04.040.C.1** and **26.04.040.C.2** and, if the proposed change is found not to be eligible for administrative decision, shall notify the applicant in writing of their findings.

D. Site Plan Expiration

1. Approval of a Concept Plan by the EDRB shall expire and become null and void one year from the date of such approval; therefore, applications for plats, site plans, building permits, and/or certificates of occupancy pursuant to an approved Concept Plan must be initiated within one year.
2. Approval of a Site Plan shall expire and become null and void 18 months from the date of such approval, including any time required for legal proceedings, provided that a building permit has not been issued.
3. A Site Plan associated with an SUP expires in conjunction with the SUP. See **26.02.050.D.6.**

Chapter 26.05. Stormwater Drainage

26.05.010. Stormwater Management Plan

A. Findings of Fact

The City of Edmond makes the following findings of fact:

1. Whereas, because of its physical terrain and geographical location, the City is particularly subject to damage from stormwaters which, from time to time, overflow from existing watercourses and drainage facilities; and
2. Whereas, because the watercourses of the City are subject to pollution from point and nonpoint sources including stormwater runoff; and
 - a. Whereas, the presently existing stormwater drainage facilities of the City require continuous operation, maintenance, renewal, and replacement; and
 - b. Whereas, a comprehensive approach to managing stormwater runoff is required to address existing and future needs in the areas of stormwater drainage and water quality; and
 - c. Whereas, previous regulations addressing drainage requirements for new land development must be supplemented to provide a comprehensive approach; and
 - d. Whereas, the cost of operating and maintaining a Stormwater Management Plan and the financing of existing and future necessary operations, maintenance, repairs, replacement, improvements, and extensions of the stormwater drainage systems should to the extent practicable be allocated in relationship to the benefit enjoyed and services received therefrom; and
 - e. Whereas, funds received from the Drainage Utility Fee and funds derived from Drainage Assessment Districts shall be used to develop the Stormwater Management Plan, and plan, design, construct, and maintain its drainage ways and facilities such as channels, culverts, erosion control, drainage structures, detention ponds, and other projects specifically related to controlling, maintaining, and improving storm drainage, and assess, address, and protect the water quality of the City's watercourses. Qualifying projects may address site-specific areas or City-wide problems, and said funds may be used in conjunction with other funding sources; and
 - f. Whereas, the City of Edmond has determined that the adoption of this UDC and the further development of a Stormwater Management Plan, under the terms, conditions, and criteria set forth hereunder are necessary to protect the health, safety, and welfare of the citizens, residents, and inhabitants of the City of Edmond.

B. Duties of the City Manager

1. The City Manager shall exercise all lawful powers necessary and appropriate to administer the City's Stormwater Management Plan.
2. The City Manager shall have the authority to:
 - a. Develop and administer all phases of a comprehensive program of stormwater drainage management including planning, designing, establishing, acquiring, constructing, developing, installing, administering, maintaining, operating, improving, repairing, replacing, and reconstructing the stormwater drainage system of the City and assessing, addressing, and protecting the water quality of the City's watercourses;

- b. Administer the accounting, budgeting, record keeping, and support personnel necessary for the efficient operation of the Stormwater Management Plan;
- c. Administer the regulations contained in this Chapter;
- d. Perform studies and analyses required to establish or modify the Stormwater Management Plan;
- e. Provide for public information and awareness that will improve stormwater management and reduce hazards to life and property;
- f. Coordinate flood response and recovery efforts with other City departments and with emergency response agencies;
- g. Develop and administer a program to address point and nonpoint source pollution of the City's watercourses;
- h. Coordinate enforcement of the regulations contained in this Chapter with other City departments; and
- i. Seek the cooperation of counties and municipalities within the area in minimizing flooding, drainage issues, and point and nonpoint source pollutants and, in particular, cooperate with other affected political jurisdictions in preparing and implementing master drainage plans and stormwater programs.

C. Stormwater Drainage Advisory Board

1. There is hereby created a Stormwater Drainage Advisory Board ("SWAB") for the purpose of providing policy guidance to the City Council. The SWAB shall be comprised of 5 members including 2 Council Members and 3 citizens of the City of Edmond confirmed by the City Council. The citizens shall serve three-year terms and may serve successive terms. The intent is for a term to expire each year. Qualifications for citizen appointments should include licensed Professional Engineers, registered land surveyors, environmental specialists, geologists, or others with extensive hydrologic or related experience. In addition, the SWAB may appoint non-voting advisory members to assist it in fulfilling its purposes and duties.
2. The purposes and duties of the SWAB shall be:
 - a. To provide an exchange of information between the public and City officers on flooding and stormwater drainage problems in the City;
 - b. To cause studies to be made of matters concerning stormwater drainage and water quality of the City's watercourses and recommend to the City Manager and City Council a comprehensive Stormwater Management Plan;
 - c. To propose cooperative studies and plans for coordinated Stormwater Management Plans in the City and surrounding areas;
 - d. To recommend from time to time to the City Manager and the City Council policies for establishing new kinds of stormwater drainage management service, preserving and expanding existing service, and making changes in service for the benefit of the public; and
 - e. To hear and consider applications for variances and appeals from decisions of the City Manager and make recommendations to the City Council, as provided herein, and to review construction activities within designated floodplains. Applications for approvals or recommendations granted by the SWAB shall expire after two years if not perfected by the applicant.

D. Stormwater Drainage Fund

1. A special fund or funds shall be maintained for the purpose of identifying and controlling all revenues and expenses attributable to stormwater drainage management services. All loans,

grants, or funds received for the administration, operation, construction, and improvement of stormwater drainage management services shall be deposited in such fund or funds. In addition, all funds received from the Drainage Utility Fee and funds received by virtue of the establishment of Drainage Assessment Districts shall be deposited in such fund or funds. Disbursements for costs of data collection, planning, maintaining, operating, and improving stormwater drainage management services and facilities shall be made from the appropriate fund or funds and be derived from:

- a. The Drainage Utility Fee, and/or
 - b. The creation of Drainage Assessment Districts comprised of the property owners of record of land adjacent to and/or directly affected by the drainage improvement project.
2. A special Stormwater Management Enterprise Fund shall be established to receive all service charges for the use by the City's Stormwater Management Plan.

E. Warning and Disclaimer of Liability

The City through its implementation of a comprehensive Stormwater Management Plan and its accompanying ordinances and provisions does not imply that land outside of the floodplain area or that uses permitted within such areas will be free from flooding or flood damages. These provisions shall not create liability on the part of the City of Edmond or any officer or employee thereof for any flood damage that may result from reliance on this UDC or any administrative decision lawfully made thereunder.

26.05.020. Control of Surface Water

A. Purpose and Scope

1. It is the intent of this UDC to protect the general health, safety, and welfare of the public from the hazards and danger of stormwater runoff, to protect natural scenic areas, and to provide for the conservation of the natural resources of the area.
2. The provisions of this UDC shall apply to and be binding upon every person, firm, agency, institution, or corporation, and every entity which seeks to survey, geotechnically explore, develop, redevelop, grade, re-grade, excavate, landfill, berm, or dike land subject to the jurisdiction of the City.

B. Definitions

See **Chapter 26.06**.

C. Standard Drainage Policy

Edmond Standard STD-400 revised and subsequent revisions thereto is hereby adopted and renamed the City of Edmond Standard Drainage Policy STD-400 and made a part hereof and shall be used for all engineering regulations established herein.

D. Responsibility of Developer/Owner for Storm Drainage Improvements

1. It shall be the responsibility of the Developer/Owner to control the stormwater runoff leaving their property, to fill the obligations detailed herein and in the City of Edmond Standard Drainage Policy STD-400, and not to cause a change in the historic runoff characteristics of the area downstream. To achieve this, the Developer/Owner shall provide stormwater drainage system improvements for the increased stormwater runoff resulting from the development.
2. Where a Developer/Owner proposes development or use of only a portion of the property, provision for stormwater runoff improvements shall be required at least for that portion of the property proposed for immediate development or use.
3. The development shall provide a sufficient stormwater drainage system for the conveyance of existing stormwater runoff received from upstream and from the subject property with specific allowance having been made for the continued conveyance of stormwater runoff from properties adjacent to the proposed development that may develop in the future.
4. All impervious areas; roofs, paved areas, yards, courts and courtyards, other than one-family or two-family residential structures, shall drain into an existing or improved storm sewer system or to an approved place of disposal, not generally including streets.
5. Release of stormwater onto streets shall only be considered acceptable if it meets the conditions specified in the Engineering Criteria Manual and has been approved by the Director of Engineering.
6. The addition of off-site stormwater improvements may be waived by the City Council if, in the opinion of the City Council, the addition of the stormwater improvements would cause extreme hardship on the community, in which case the City Council will address the issue through alternative methods.
7. In the case of single-family and two-family residential structures, stormwater may be discharged onto flat areas such as streets or lawns if drainage is provided so that the stormwater will flow away from the building and not adversely affect adjacent properties, and if the requirements of the City Drainage Standards are met. A lot and block grading plan should be used to ensure lots are graded in accordance with the overall grading plan for the block.
8. The Developer/Owner shall remain responsible for the construction, operation, and

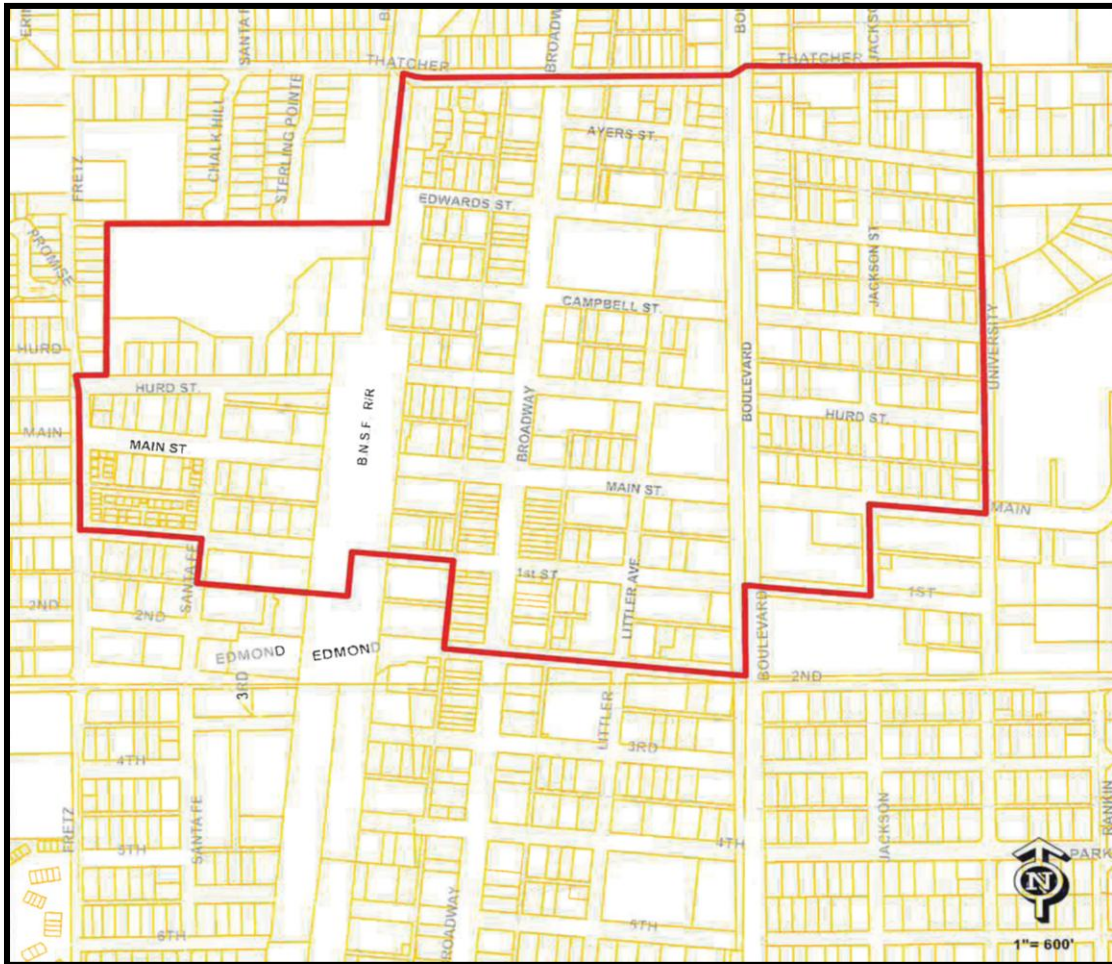
maintenance of stormwater detention systems. No conveyance of the responsibility of the detention system is allowed nor implied by the issuance of building permits. Stormwater detention systems shall be considered a priority during construction. All stormwater systems shall be constructed as one of the first items of a development and shall be constructed prior to any change in the stormwater runoff of the development.

9. The Developer/Owner shall remain responsible for the design, installation, inspection, and continual maintenance of all erosion and sediment control Best Management Practices (BMPs). The Developer/Owner shall obtain the necessary permits from the Oklahoma Department of Environmental Quality (DEQ) and the City of Edmond prior to any construction activities. Installation of erosion and sediment control BMPs is considered the number one priority before construction activity takes place. Appropriate and acceptable BMPs are outlined in the City of Edmond Standard Drainage Policy STD-400. The DEQ's "General Permit OKR10 For Storm Water Discharges from Construction Activities Within the State of Oklahoma" is hereby adopted by reference and its requirements shall apply to all sites covered by that permit. A copy is available for public inspection in the office of the Director of Engineering.

E. Drainage Fee-in-Lieu-of Detention

1. The City of Edmond is providing regional stormwater detention for all future development and future redevelopment of the land located inside the boundaries shown on Figure 05-1: Drainage Fee-in-Lieu-of Detention Area 1 and Figure 05-2: Drainage Fee-in-Lieu-of Detention Area 2. The description of these areas is as follows:

Figure 05-1: Drainage Fee-in-Lieu-of Detention Area 1



Downtown Regional Detention Pond (See Figure 05-1: Drainage Fee-in-Lieu-of Detention Area 1):

Beginning at the intersection of the centerline of Edmond Road/2nd Street and the centerline of Boulevard;

Thence north on the centerline of Boulevard to the centerline of 1st Street;

Thence easterly on the centerline of 1st Street to the centerline of Jackson Street;

Thence north on the centerline of Jackson Street to the centerline of Main Street;

Thence easterly on the centerline of Main Street to the centerline of University Drive;

Thence north on the centerline of University Drive to the centerline of Thatcher Street;

Thence west on the centerline of Thatcher Street to the centerline of BNSF Railroad;

Thence southerly on the centerline of BNSF Railroad to the intersection of the north property line of the Downtown Regional Detention Property extended to the centerline of the BNSF Railroad;

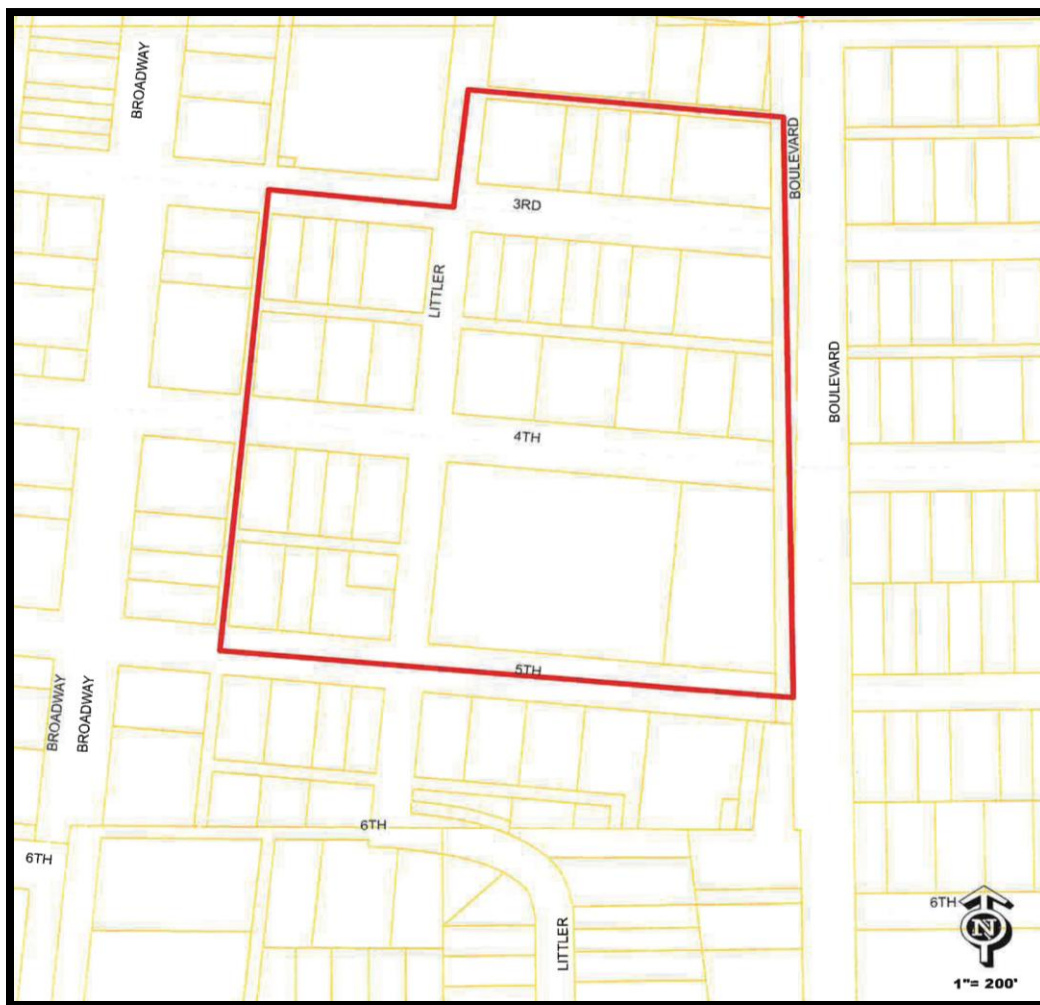
Thence west on the north line of the Downtown Regional Detention Property to the northwest corner of the property;

Thence south on the west line of the Downtown Regional Detention Property to the north right-of-way line of Hurd Street;

Thence west on the north right-of-way line of Hurd Street to the centerline of Fretz Avenue;
 Thence south on the centerline of Fretz Avenue to the centerline of 1st Street;
 Thence easterly on the centerline of 1st Street to the centerline of Santa Fe Avenue;
 Thence southerly on the centerline of Santa Fe Avenue to the centerline of the alley located between 1st Street and Edmond Road/2nd Street;
 Thence easterly on the centerline of the alley to the centerline of the BNSF Railroad;
 Thence north on the centerline of the BNSF Railroad to the centerline of 1st Street;
 Thence easterly on the centerline of 1st Street to the centerline of the alley located between Broadway and the BNSF Railroad;
 Thence southerly on the centerline of the alley to the centerline of Edmond Road/2nd Street;
 Thence easterly on the centerline of Edmond Road/2nd Street to the point of beginning.

and

Figure 05-2: Drainage Fee-in-Lieu-of Detention Area 2



Stephenson Park Regional Detention Pond (See Figure 05-2: Drainage Fee-in-Lieu-of Detention Area 2):

Beginning at the intersection of the centerline of 5th Street and the west right-of-way line of Boulevard;

- Thence west on the centerline of 5th Street to the centerline of the alley between Littler Ave and Broadway;
- Thence north on the centerline of the alley to the centerline of 3rd Street;
- Thence easterly on the centerline of 3rd Street to the centerline of Littler Ave;
- Thence north on the centerline of Littler Ave to the centerline of the alley between Edmond Road/2nd Street and 3rd Street;
- Thence easterly on the centerline of the alley to the west line of Boulevard;
- Thence southerly on the west right-of-way line of Boulevard to the point of beginning.
2. Any proposed development or proposed redevelopment within these described areas shall pay the drainage fee-in-lieu-of detention rather than provide on-site detention.
 3. For land outside the boundaries shown on Exhibits 1 and 2, the City Council may consider allowing the developer to pay a fixed fee or offer some other form of valuable consideration in lieu of on-site detention if modeling shows that the flood peak downstream is increased by providing on-site detention, or if stormwater from this watershed already is detained as a part of another larger Best Management Practice, or if it is demonstrated through modeling that there would be no detrimental effect to all upstream, adjacent, and downstream properties. The applicant will be required to present their findings to the SWAB at a regular meeting. The SWAB then will make its recommendation to the City Council at a regular meeting. For a site where the calculated undetained discharge is less than 0.5 cubic feet per second for all design storm events up through the 1-percent storm event, the Director of Engineering may make a recommendation directly to the City Council rather than having the item heard before SWAB.
 4. If the City Council offers a developer this option, or if the developer is required to use this option by City Council or this section of the code, then the fee will be calculated as follows:

$$\text{Fee} = \text{Rate} \times \text{Impervious Area}$$
 5. Rate will be determined according to Table 05-1: Fee-in-Lieu-of-Drainage Fee Rates.

Table 05-1: Fee-in-Lieu-of-Drainage Fee Rates

Impervious Area, percent	Rate, \$/Square Foot of Impervious Area
91 to 100	\$0.50
81 to 90	\$0.45
71 to 80	\$0.40
61 to 70	\$0.35
51 to 60	\$0.30
41 to 50	\$0.25
31 to 40	\$0.20
0 to 30	\$0.15

Fee = Rate times Square Feet of Impervious Area.

Impervious Area = All impervious areas on site, including parking.

6. Residential development will be set at the 50% impervious rate for the S-RE district's density or lower density. All other residential development will use actual impervious surface area in the calculation.
7. The fees collected will be placed in a reserve account for the major drainage basin or the approved regional stormwater detention basin in which the proposed development will be located. The fees will be used for stormwater drainage system upgrades and maintenance.

F. Requirements Relating to Developments

1. In any development or improvement of property, the Developer/Owner will be required to provide at their own expense a complete and detailed drainage study for the total area to be ultimately developed. The study shall be submitted to the Director of Engineering for review no later than 10 working days prior to the placing of any development on an agenda of the Planning Commission, City Council, Edmond Public Works Authority, or other authorizing body.
2. All developments shall be designed, constructed, and completed in a manner that minimizes the removal of vegetation and existing tree cover.
3. Any development with a total disturbed area of equal to or greater than one acre, or that is part of a larger common development which will ultimately disturb land greater than or equal to one acre, shall be required to submit to the City of Edmond Engineering Department copies of the Stormwater Pollution Prevention Plan, the Notice of Intent filed with the DEQ, and the issued OKR10 Permit from the DEQ before any activity shall commence on the site. The City of Edmond will not permit any increase, as compared to historical conditions, in release of sediment from a construction site. See the City of Edmond Standard Drainage Policy for more information. The City of Edmond recognizes all responsibilities of the Developer/Owner to comply with the EPA's National Pollutant Discharge Elimination System (NPDES) requirements. In addition, the City hereby adopts by reference the DEQ's "General Permit OKR10 for Storm Water Discharges from Construction Activities Within the State of Oklahoma" and all sites covered by that permit shall comply with its requirements.
4. No excavation, surveying, geotechnical exploration, grading, leveling, landfilling, or any activities required to be covered by a Land Disturbance Permit (refer to **26.05.020.G. Land Disturbance Permit**), shall be commenced on any lot or tract of record for single-family residential developments, multi-family, or non-residential development prior to:
 - a. Approval of the grading and erosion/sediment control plan,
 - b. Issuance of Land Disturbance Permit, if applicable, and
 - c. Installation of the prescribed erosion/ sediment control Best Management Practices (BMPs).
5. If it is determined by the Director of Engineering in an on-site inspection that the erosion/sediment control is no longer functioning as intended due to lack of maintenance or insufficient design or the site is not in compliance with the requirements of any applicable OPDES or NPDES Permit, then the Developer/Owner may be served with a Stop Work Order and a Notice of Violation of this UDC. No further work on this project shall proceed after the Stop Work Order is issued until such time as the Developer/Owner has complied with adequate erosion/sediment control and/or addressed the deficiency yielding the Stop Work Order and same meets approval of the Director of Engineering. A re-inspection will be required prior to the lifting of the Stop Work Order. Re-inspection fees will be assessed per occurrence in an amount according to the City's adopted fee schedule. In addition, a cash deposit in an amount determined by the Director of Engineering will be required as a condition of lifting the Stop Work Order. The amount shall be sufficient to cover the costs to insure proper installation and maintenance of the prescribed erosion/sediment controls. This amount shall be utilized to pay for any costs of future abatements. Upon application of the Developer/Owner for a partial release of the amount deposited as set out in this section, the Director of Engineering is authorized to grant the release of a portion of the funds using the percentage of the project that is complete and in consideration of the total project compliance with this Chapter. Upon issuance of the occupancy permit for the total property, any remaining amount of the deposit will be returned to the Developer/Owner. In situations where compliance is not forthcoming, the City will inform the DEQ's administration to enable that agency to conduct further inspections

and enforcement under its regulations.

6. Low Impact Development (LID) is an innovative, ecosystem-based approach to land development and stormwater management that works with nature to manage stormwater as close to its source as possible. The goal of LID design is to maintain the integrity of each watershed by maintaining the natural, pre-developed hydrology on each development site. LID employs principles that treat stormwater as a resource rather than a waste product. LID is a blend of measures that includes conservation, minimization of impacts, maintaining historic pre-developed runoff rates, integrated management practices, and pollution prevention techniques.
7. The City encourages the use of low impact development and recommends that such practices be incorporated into proposed and existing site development. The science, engineering, methodologies, and technologies associated with LID are continually being developed and updated. For the current Best Management Practices (BMPs) suggested for consideration, refer to the U.S. Environmental Protection Agency website, the design criteria and engineering construction standards of other communities, and recent publications by the City of Edmond, trade organizations, and others.
8. If an LID BMP is approved by the City for use on a development site and that BMP is used to decrease and/or offset the required stormwater detention for the site, then an Operations and Maintenance Manual must be provided and the owner responsible for the BMP's upkeep and maintenance shall be stated on the Site Plan and plat. The BMP shall be inspected, on an interval to be determined by the Director of Engineering not to exceed five years, by an engineer licensed in the State of Oklahoma at the owner's expense to certify that it is being operated and maintained correctly and that it continues to function as designed. The engineer's inspection report and certification shall be submitted to the City of Edmond.

G. Land Disturbance Permit

The goals of the Land Disturbance Permit are to ensure that erosion and sediment control measures are in place before vegetation removal or dirtwork begins; to ensure that these measures are properly maintained and functioning; and to prevent the pre-development work on the site from setting a pattern for the subsequent site development.

1. Land Disturbance Permit
 - a. Unless specifically exempted under this section, a Land Disturbance Permit shall be obtained from the City Manager prior to the commencement of any activity or combination of activities that alters the landscape to the extent that it involves the clearing or removal of more than 10% of the existing vegetation on a parcel if for commercial, multi-family, or industrial development, or more than 20% of the existing vegetation on a parcel if for single-family residential development. This activity includes, but is not limited to, those activities listed in the definition of land disturbance. A separate permit shall be required for each separate noncontiguous tract. No permit shall be transferable without the prior written consent of the City Manager.
 - b. Prior to granting any Land Disturbance Permit, the City Manager shall attach such conditions thereto as may be deemed necessary to prevent hazards to public or private property resulting from the blockage, obstruction, alteration, or impairment of any storm sewer drain or surface water course and to prevent the work thereby authorized from being conducted in a manner hazardous to life or property, or otherwise likely to create a public nuisance. Such public nuisances should be deemed to include, but not be limited to, erosion, avulsion, or siltation anywhere within the storm sewer system or surface water system of the City of Edmond. Conditions attached to the permit may include, but are not limited to: submission of a drainage plan; drawings specified to finish grade land contours;

installation of retaining walls, drains, detention facilities, and other drainage facilities; specified erosion control measures; the furnishing of any necessary public easements; and a specified methodology for performing the authorized work; and the disposition of waste generated.

- c. Any Land Disturbance Permit applied for regarding a project subject to Planning Commission and City Council approval must have said approval prior to being granted.

2. Permit Review

A Land Disturbance Permit shall expire one (1) year after it is issued if the permitted activity has not commenced. Permits on ongoing projects shall be reviewed at least once every year for compliance by the City Manager.

3. Application for Land Disturbance Permit

- a. *General requirements.* The general and specific requirements for Land Disturbance Permit Applications shall conform to the standards established in the Engineering Criteria Manual.

4. Land Disturbance Policies and Standards

Unless specifically defined, words or phrases used in this section shall be interpreted to give them the meaning they have in common usage and to give this section its most reasonable application.

a. Policies

The issuance of the Land Disturbance Permit shall be governed by the following policies of the City of Edmond.

- (i) No land disturbance shall be permitted that creates a public hazard upon any property within the City of Edmond through the obstruction, impairment, sedimentation, blockage, or alteration of any storm sewer drain or any existing surface watercourse.
- (ii) No land disturbance shall be permitted that will channelize, obstruct, or impede any watercourse in a manner that is inconsistent with accepted engineering practices and/or the adopted drainage standards of the City of Edmond.
- (iii) All land disturbances shall be designed, constructed, and completed in a manner that minimizes the time of exposure of bare earth to the elements.
- (iv) Construction activity on individual tracts shall be conducted only if appropriate sedimentation facilities are installed and maintained throughout the construction period to minimize sediment from any such tract being deposited upon any off-site public or private property or any watercourse during all phases of project construction.
- (v) As may be applicable to any tract of land for which an approved drainage plan exists, the requirements and conditions of the drainage plan shall be incorporated as a condition upon the issuance of any Land Disturbance Permit.
- (vi) The redesign of any drainage structures required and presently existing as a result of the previous processing of an approved drainage plan shall not be required as an incident or condition for the subsequent issuance of a Land Disturbance Permit unless, in the judgment of the City Manager, the proposed land disturbance materially alters the character of the approved drainage plan.

b. Standards established

The policies governing land disturbance shall be implemented by the adopted City drainage standards that shall specifically regulate the following considerations:

- (i) The adopted City drainage standards shall regulate the design, installation, and utilization of all detention and drainage facilities and structures.
- (ii) The adopted City drainage standards shall regulate the design, installation,

maintenance, and removal of sedimentation and erosion control procedures and facilities and structures and shall establish acceptable methods and practices for controlling soil sedimentation and erosion.

- (iii) For a site under an OPDES OKR10 Permit, the requirements of that permit shall apply as well.

5. Land Disturbance Permit Exemptions

A Land Disturbance Permit shall not be required for the following activities:

- a. Bona fide agricultural and farming operations which constitute the principal use of a tract of ground in the City of Edmond and which meet the requirements of the zoning code of the City of Edmond.
- b. Activity by the individual property owner if the activity is limited to their residential property.
- c. Emergency repairs of a temporary nature made on public or private property which are necessary for the preservation of life, health, or property, and which are made under such circumstances where it would be impossible or impracticable to obtain a Land Disturbance Permit.
- d. Excavations for the purpose of maintaining or repairing any public street, alley, public utility, or any service lines and appurtenances related thereto.

6. Administrative Procedure

a. Processing by City Manager

- (i) Within fifteen (15) working days after receipt of a properly completed Land Disturbance Permit application, the City Manager shall either approve or disapprove the submitted permit application. Land Disturbance Permit applications that are consistent with the policies and which meet the standards established by this article shall be approved. If the required findings cannot be made based upon the information contained in the permit application, the general nature of such additional information as is required by the City Manager to make such determination will be identified. Within ten (10) working days after receipt of such additional information as may have been required by the City Manager, or as may have been determined to be necessary during a conference with an applicant, a final decision shall be made by the City Manager to either approve or disapprove the submitted permit application; if disapproved, the submitting permit applicant shall be advised in writing and additional conferences scheduled as appropriate.

b. Administrative Appeals

- (i) All rulings, requirements, decisions, or interpretations of the City Manager shall be final and binding upon all parties thereto unless appealed to the SWAB. Any person aggrieved thereby shall perfect an appeal by filing a written notice of appeal with the office of the City Manager of the City of Edmond within ten (10) days from the date of the action complained of. All notices of appeal shall specify the facts that the aggrieved party deems material to their appeal. A hearing on the appeal shall be heard by the SWAB not later than thirty (30) days from the date of filing the required notice of appeal.

c. Variance by Procedures

- (i) The SWAB may grant in a particular instance such a variance or modification of the terms of this article or City drainage standards adopted pursuant thereto as will not cause detriment to the public good, safety, or welfare, or be contrary to the spirit, purpose, and intent of this article where, by reason of unique and exceptional physical circumstance or condition of a particular property, the literal enforcement of the

adopted City drainage standards or the requirements of this article will result in an unreasonable hardship.

7. Enforcement and Penalties

a. Notification of Noncompliance

- (i) If at any time the work being performed in accordance with a Land Disturbance Permit does not conform to the approved permit, including conditions and approved modifications thereof, a written notice to comply shall be given to the permit holder by the City Manager stating the nature and location of the alleged noncompliance and specifying what remedial steps are necessary to bring the project into compliance. The permit holder shall have such time as may be allowed in writing by the City Manager to correct all noted deficiencies; the time allowed shall be reasonable and shall be determined by the nature of the deficiency and whether or not it creates a nuisance or hazard.

b. Temporary Suspension of Land Disturbance Permit

- (i) A Land Disturbance Permit may be temporarily suspended by the City Manager upon the observance or existence of any condition or the doing of any act constituting or creating a condition that endangers human life or may cause property damage to others. The City Manager may issue an immediate Stop Work Order and a Notice of Violation of this UDC, giving the permit holder written notice specifying the grounds for the Stop Work Order. No further work on the property shall proceed after the Stop Work Order is issued until such time as the permit holder alleviates the grounds for suspension, the site complies with the permit, and both meet the approval of the City Manager. A re-inspection will be required prior to lifting the Stop Work Order. Re-inspection fees will be \$500.00 per occurrence. In situations where compliance is not forthcoming, the City will inform the DEQ's administration to enable that agency to conduct further inspections and enforcement under its regulations.

c. Revocation of Land Disturbance Permit

- (i) A Land Disturbance Permit may be revoked by the SWAB after a public hearing. The permit holder shall be given ten (10) calendar days' advance written notice prior to the hearing specifying the grounds for such contemplated revocation, and advising the property owner of the date, place, and time of the hearing. A Land Disturbance Permit may be revoked upon the occurrence of any one of the following events:
 - (a) Violation of any material condition of the permit; or
 - (b) Violation of any provision of this article or any other applicable law, rule or regulation pertaining to the Land Disturbance Permit; or
 - (c) Existence of any condition or the doing of any act constituting or creating a nuisance, hazard, or endangering human life or property of others; or
 - (d) A force majeure that renders the plans obsolete and non-functional such as a major flood or fire.
- (ii) Upon the revocation of a Land Disturbance Permit by the SWAB, the City Manager shall issue a Stop Work Order on all construction activity on the permit holder's property which may be directly or indirectly related to site drainage and which is being performed pursuant to any permits, licenses, franchises, or contracts issued or approved by the City of Edmond. Such order may order a work stoppage on all construction activity on buildings or structures and all appurtenances thereto, including building, electrical, plumbing, mechanical, and street work, storm sewers, sanitary sewers, gas lines, and all utilities including gas, electric, telephone, and cable TV. Notices and orders required by this section shall be served upon the parties

concerned either personally, by Certificate of Mailing P.S. 3877 Firm Book, or by certified mail, addressed to the individual contracting party(ies) or permit holder at the address given on the permit application filed with the City.

d. Fine Imposed

Any person, firm, corporation, or other legal entity violating the requirements of this article shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than two hundred dollars (\$200.00) or imprisoned for not more than thirty (30) days, or both, for each and every violation, and each day's violation thereof shall constitute a separate offense.

e. Fine Not Exclusive Penalty

In addition to fine or imprisonment, the City may institute appropriate actions or proceedings at law or equity for the enforcement of the provisions of this article or adopted City drainage standards or to correct violations thereof, and, if applicable and appropriate, the City may institute appropriate actions or proceedings at law or equity against any surety company, escrow holder, or any third party who has affirmatively acted as surety or guarantor for the faithful performance of the permit holder's work.

H. Title Ownership and Maintenance

1. Ownership and maintenance of all non-public owned drainage systems should remain with the private sector. Developers shall provide a copy of all property owners association covenants, to include proof of corporate existence, to the City outlining the regulations relating to the maintenance of the drainage and detention facilities and identifying the responsible party. Any detention facility that serves a neighborhood shall be located in a Common Area and accessible to all residents of the neighborhood. For residential neighborhood areas that have no property owners association or the like to regulate and maintain their drainage and detention facilities, these facilities may be dedicated to the public and maintained by the public if so desired by the City Council. For facilities that are an integral usable part of the development such as commercial and office park development, the ownership and maintenance of said facilities shall remain with the private sector. Prior to the acceptance of any drainage or detention facility by the City, whether for public or private ownership, the developer shall be in compliance with the Edmond Drainage Standards and the following:
 - a. Completed construction of all required facilities and erosion control as detailed on the approved site or development plan or provide sufficient surety bond, cash escrow, or letter of credit acceptable to the Director of Engineering and City Attorney and approved by the City Council guaranteeing the construction of all required facilities and erosion controls as detailed on the approved site or development plan.
 - b. In the case of public ownership, pay a sum to the City equal to \$5,000.00 multiplied by the number of acres dedicated for the detention facility multiplied by seven years to cover the cost of future maintenance. All funds received shall be maintained by the City to be used for the maintenance of detention ponds.
 - c. Submit an approved Operation and Maintenance (O&M) Manual to those individuals and/or organizations responsible for the facility. The O&M Manual shall address inspection frequency and the fundamental requirements of safe operation and maintenance of the facility. A listing of improvements and structures and the required maintenance of each shall be included in the O&M Manual. For additional information see the appropriate section in the City of Edmond Standard Drainage Policy.
2. Common Areas set aside for the purposes of stormwater detention and/or conveyance provide an integral part of the stormwater design of the area. Prior to the commencement of any transfer of ownership of such a Common Area from a property owners association to a third party, the matter shall be heard by the SWAB for approval. Common Areas set aside for the purposes of

stormwater detention and/or conveyance shall remain intact for perpetuity and shall not be parceled, split, altered, diminished, or subdivided.

I. Performance Requirement

The Developer/Owner understands and agrees by their submitting of a drainage system plan that approval by the City does not relieve the Developer/Owner, their successors, or assigns of an obligation to revise, improve, and/or change any or all of the drainage system if the original proposal does not function as intended by the approved site or development plan.

J. Interpretation

In the interpretation and application of this UDC and the City of Edmond Drainage Standards, all provisions shall be; (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State Statutes.

K. Penalty

1. It is unlawful and an offense for any person to:
 - a. Violate any provision of this Chapter;
 - b. Violate the provisions of any permit issued pursuant to this Chapter;
 - c. Fail or refuse to comply with any lawful notice to abate issued by the City Manager within the same time specified by such notice; or
 - d. Violate any lawful order of the City Manager or fail to comply with such an order within the time allowed by such order.
2. Any person who commits any act declared unlawful or fails to perform any act required by or under this Chapter, or otherwise violates any provision of this Chapter, shall be guilty of a Class "B" offense against the City. In addition, each and every day on which a violation shall occur or continue to occur shall be deemed a separate offense. For any second or subsequent offense and upon proof of conviction, said person shall be guilty of a Class "B" offense against the City. For any offense that occurs or is allowed to exist for two consecutive days, each responsible person shall be guilty of a Class "B" offense. Violation of Stop Work Order shall be a Class "A" offense.

L. Enforcement Authority and Stop Work Orders

When, in the opinion of the City Manager, inadequate or improper erosion/sediment control measures are being taken in a development area, any of the listed persons shall have full authority to issue a Stop Work Order. Said Order will remain in effect until compliance with adequate and/or proper measures is undertaken with regard to erosion/sediment control.

26.05.030. Drainage Utility Fee

A. Service Charge and Exemptions

There is hereby established a service charge for the City's stormwater drainage system at rates hereinafter established; provided, however, that the service charge shall not be imposed on the following types of property:

1. City streets, rights-of-way, parks, and open space;
2. State of Oklahoma highway or County rights-of-way; or
3. Undeveloped parcels of land.

B. Rate Schedule

Rate Schedule Effective January 1, 2026.

1. The monthly service charge rate is hereby established at Nine Dollars (\$9.00) for each Equivalent Service Unit assigned to a lot, tract, or parcel of real estate as herein provided.
 - a. Residential Property. Residential property within the corporate limits of the City is hereby assigned one Equivalent Service Unit for each developed lot, tract, or parcel of record with the Oklahoma County Clerk, the resulting service charge being Nine Dollars (\$9.00) for each such lot, tract, or parcel; provided, however, in the case of duplex or multi-family apartment development with two (2) or more dwelling units on the same lot, tract, or parcel, a service charge of Four Dollars Fifty Cents (\$4.50) shall be made to each dwelling unit.
 - b. All Other Real Estate. The impervious surface of all other lots, tracts, or parcels of developed real estate within the corporate limits of the City shall be measured to determine the Equivalent Service Units to be assigned to such lots, tracts, or parcels; and the service charge shall be Nine Dollars (\$9.00) for each Equivalent Service Unit or portion thereof.
 - c. There are no caps on the monthly service charge rate.

C. Collection of Service Charge

The service charges herein established for the City's stormwater drainage system shall be billed monthly and may include such penalties as are now or may hereafter be established for utility service bills. The provisions for collection provided herein shall be the rights or remedies which the City may have under the laws of the State of Oklahoma. The invalidity of any provision, clause, or portion of this section or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this section or the validity of its application to other persons or circumstances.

D. Adjustments of Charge, Appeal

Any person who considers the charges applicable to their parcel to be inaccurate or erroneous may request review thereof by the City Manager. The determination by the City Manager may be appealed to the SWAB by written notice of appeal filed with the City Manager within ten (10) days of the City Manager's determination. The decision of the SWAB may be appealed to the governing body of the City by such person or by the City Manager by written notice of appeal filed with the City Clerk within ten (10) days of decision by the SWAB.

E. City Council Review

The City Council shall evaluate annually, as part of the budget preparation process, the financial needs of the stormwater drainage fund and reduce the charge accordingly, or eliminate the fund entirely.

26.05.040. Flood Damage Prevention

A. Statutory Authorization

The legislature of the State of Oklahoma has in Title 82 Sections 1601—1619 delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of the City of Edmond, Oklahoma, does ordain as follows.

B. Findings of Fact

The flood hazard areas of Edmond are subject to periodic inundation that results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and

extraordinary public expenditures of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.

C. Statement of Purpose

It is the purpose of this UDC to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in floodplains;
6. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
7. Ensure that potential builders are notified that property is in a flood area.

D. Methods of Reducing Flood Losses

In order to accomplish its purposes, this UDC uses the following methods:

1. Regulate the methods for handling and disposing of stormwater runoff in the watersheds of the jurisdictional area of the City and further regulate the design, construction, and maintenance of the stormwater drainage system;
2. Regulate development within Areas of Special Flood Hazard in order to assure that development is not dangerous to health, safety, or property due to stormwater runoff, and does not increase flood heights or velocities, and to comply with the regulations of the National Flood Insurance Program;
3. Regulate the development, excavation, grading, regrading, paving, landfilling, berming and diking of land within the watersheds of the City;
4. Regulate the connection to and use of the stormwater drainage system.

E. General Provisions

1. The provisions of this UDC shall apply to and be binding upon every person, firm, agency, institution or corporation, and every entity which seeks to develop, redevelop, grade, excavate, landfill, berm, or dike land subject to the jurisdiction of the City.
2. Basis for Establishing the Areas of Special Flood Hazard. The Areas of Special Flood Hazard are identified as the following:
 - a. The Areas of Special Flood Hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study for Oklahoma County, Oklahoma and Incorporated Areas" dated October 2, 2025, with accompanying Flood Insurance Rate Map (FIRM) are hereby adopted by reference and declared to be part of this UDC;
 - b. The Areas of Special Flood Hazard identified by the City of Edmond as the Future Condition Without Improvements 100 Year Flood Plain in a scientific and engineering report entitled "Spring Creek Storm Water Master Drainage Plan" dated May 1991, with accompanying

- Flood Boundary Maps entitled "Future Condition Fully Urbanized with Existing Drainage System" are hereby adopted by reference and declared to be a part of this UDC;
- c. The Areas of Special Flood Hazard identified by the City of Edmond as the Fully Developed Conditions Floodplain in a scientific and engineering report entitled "Coffee Creek Master Drainage Study" dated May 2015, with accompanying Floodplain Maps contained within a companion report entitled "Fully Developed Floodplain Atlas" and Water Surface Profiles contained within a companion report entitled "Atlas of Fully Developed Water Surface Profiles" are hereby adopted by reference and declared to be a part of this UDC.
 - d. The most restrictive map shall be used in identifying Areas of Special Flood Hazard.
3. Compliance. No structure, substantial improvement, development, or land shall hereafter be located, altered, or have its use changed within any area identified as an Area of Special Flood Hazard without full compliance with the terms of this UDC and other City ordinances, codes and regulations.
 4. Abrogation and Greater Restrictions. This UDC is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this UDC and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
 5. The issuance or denial of a Floodplain Development Permit application under this UDC does not set a precedent in the consideration of a future application.
 6. Interpretation. In the interpretation and application of this UDC, all provisions shall be:
 - a. Considered as minimum requirements;
 - b. Liberally construed in favor of the governing body;
 - c. Deemed neither to limit nor repeal any other powers granted under State Statutes.
 7. Warning and Disclaimer or Liability. The degree of flood protection required by this UDC is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This UDC does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This UDC shall not create liability on the part of the City or any official or employee thereof for any flood damages that result from reliance on this UDC or any administrative decision lawfully made thereunder.

F. Designation of the Floodplain Administrator

The City Manager, or their designee, is hereby appointed the Floodplain Administrator to administer and implement the provisions of this UDC and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management. The Floodplain Administrator shall be accredited by the State of Oklahoma and shall be a Certified Floodplain Manager (CFM®) through the Association of State Floodplain Managers (ASFPM).

G. Duties and Responsibilities of the Floodplain Administrator

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

1. Maintain and hold open for public inspection all records pertaining to the provisions of this UDC.
2. Review proposed development to determine whether the applicant has taken into account the possibility of flooding and reasonably prepared the site to be safe from flooding.
3. Review, approve, or deny all applications for Floodplain Development Permits within Areas of Special Flood Hazard.
4. Review proposed floodplain development to assure that all necessary permits have been

obtained from those Federal, State, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

5. Where interpretation is needed as to the exact location of the boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Floodplain Administrator shall make the necessary interpretation.
6. Notify, in riverine situations, adjacent communities and the State Coordinating Agency, which is the Oklahoma Water Resources Board, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
7. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
8. When base flood elevation data has not been provided in accordance with **Chapter 26.05** of this UDC, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation data and floodway data available from a Federal, State, or other source, in order to administer the provisions of this UDC.
9. The Floodplain Administrator must require that no new construction, substantial improvement, or other development (including fill) shall be permitted within a Special Flood Hazard Area unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and pending development, will not increase the base flood elevation more than three (3) inches on the applicant's property, will not increase the base flood elevation at any other point within the community, and the proposed development is not located in the Regulatory Floodway.

H. Floodplain Development Permit Procedures

1. A Floodplain Development Permit shall be required prior to development in any Area of Special Flood Hazard.
2. The Floodplain Administrator shall render judgment on requests for Floodplain Development Permits except for those cases involving variances.
3. The City Council shall hear and render judgment on requests for Floodplain Development Permits involving variances, or in cases when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this UDC. Before scheduling such an item before the City Council, the applicant shall present their case to the SWAB. SWAB will then forward its recommendation to the City Council.
4. The Floodplain Administrator may schedule any Floodplain Development Permit application for discussion at a SWAB Meeting.
5. Approval or denial of a Floodplain Development Permit shall be based on all of the provisions of this UDC and of the checklist of factors established in the Engineering Criteria Manual.
6. Any person or persons aggrieved by the decision of the City Council may appeal such decision in the courts of competent jurisdiction, as provided by law.
7. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
8. A Floodplain Development Permit may be issued for the repair or rehabilitation of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the Permit is the minimum necessary to preserve the historic character and design of the structure.

9. Upon consideration of the factors noted herein and the intent of this UDC, the Floodplain Administrator, SWAB, or City Council may attach such additional conditions to the granting of a Floodplain Development Permit as deemed necessary to further the purpose and objectives of this UDC.
10. A Floodplain Development Permit shall not be issued within any Regulatory Floodplain if the cumulative effect of the proposed development, when combined with all other existing and pending development, increases the base flood elevation more than three (3) inches on the applicant's property, increases the base flood elevation at any other point within the community, or the proposed development is located in the Regulatory Floodway.
11. Floodways are located within Areas of Special Flood Hazard and are extremely hazardous areas due to the velocities of floodwaters that carry debris, potential projectiles, and erosion potential. Therefore, encroachments are prohibited, including fill, new construction, substantial improvements, and other development within this Special Flood Hazard Area.
12. An application for a Floodplain Development Permit shall be presented to the Floodplain Administrator. The application shall include, but not be limited to plans drawn to scale showing the location, dimensions, and elevation of the proposed development including landscaping, existing structures, and the location of the foregoing in relation to Areas of Special Flood Hazard. Additionally, the following information is required:
 - a. Elevation in relation to mean sea level of the lowest floor (including basement) of all new and substantially improved structures;
 - b. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
 - c. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria established by FEMA;
 - d. Description of extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;
 - e. Submittal of the hydrologic/hydraulic floodplain analysis signed and sealed by a registered professional engineer.
13. Variances:
 - a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - b. Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in additional threats to the public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - c. Any applicant to whom a variance is granted shall be given written notice that the development will be permitted to be built, and that the cost of flood insurance will be commensurate with the increased risk.
14. For any applicant to whom a Floodplain Development Permit is granted, the following provisions are required for all new construction, substantial improvements, or other development (including fill):
 - a. Shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - b. Shall be constructed by methods and practices that minimize flood damage;
 - c. Shall be constructed with materials resistant to flood damage;

- d. Shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- e. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- f. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
- g. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding;
- h. The lowest floor (including entry floor level, living areas, garage, basement, walk-out, electrical and mechanical equipment, and ductwork) must be elevated a minimum of two (2) feet above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a completed Federal Emergency Management Agency Elevation Certificate to the Floodplain Administrator showing that the standard of this subsection is satisfied.

15. Residential Construction

- a. New construction and substantial improvement of any residential structure proposed to be located on a lot that abuts a regulated floodplain shall have the lowest floor (including entry floor level, living areas, garage, basement, walk-out, electrical and mechanical equipment, and ductwork), elevated a minimum of two (2) feet above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a completed Federal Emergency Management Agency Elevation Certificate to the Floodplain Administrator showing that the standard of this subsection is satisfied. Residential structures shall not be allowed within the Regulatory Floodplain or upon areas removed from the Regulatory Floodplain by fill.

16. Nonresidential Construction

- a. New construction and substantial improvements of any commercial, industrial, or other nonresidential structure proposed to be located on a lot that abuts a regulated floodplain shall have the lowest floor (including entry floor level, garage, basement, walk-out, electrical and mechanical equipment, and ductwork) elevated a minimum of two (2) feet above the base flood level. A registered professional engineer, architect, or land surveyor shall submit a completed Federal Emergency Management Agency Elevation Certificate to the Floodplain Administrator showing that the standard of this subsection is satisfied. Nonresidential structures shall not be allowed within the Regulatory Floodplain or upon areas removed from the Regulatory Floodplain by fill.

17. Manufactured Homes:

- a. All manufactured home structures proposed to be located on a lot that abuts a regulated floodplain shall be installed using methods and practices that minimize flood damage. For the purposes of this requirement, the lowest floor of a manufactured home must be elevated a minimum of two (2) feet above the base flood and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
- b. Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision shall be elevated so that:
 - (i) The lowest floor of the manufactured home is at least two (2) feet above the base flood elevation;

- (ii) The manufactured home chassis is supported by reinforced piles or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- 18. Recreational Vehicles: (i) shall be on site for fewer than 180 consecutive days, (ii) shall be fully licensed and ready for highway use, or (iii) shall meet the Floodplain Development Permit requirements for "manufactured homes" in this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
- 19. Standard for Subdivision Proposals:
 - a. All subdivision proposals, including manufactured home parks and subdivisions, shall be consistent with **26.05.040.B Findings of Fact**, **26.05.040.C Statement of Purpose**, and **26.05.040.D Methods of Reducing Flood Losses**.
 - b. All proposals for the development of subdivisions, including manufactured home parks and subdivisions, shall meet the requirements of **26.05.040.E.3**, **26.05.040.H**, and the other provisions of this UDC.
 - c. Base flood elevation data shall be generated for all subdivision proposals and other proposed development, including manufactured home parks and subdivisions, if not otherwise provided pursuant to **26.05.040.E.2** or **26.05.040.G.8**.
 - d. All subdivision proposals, including manufactured home parks and subdivisions, shall have adequate drainage provided to reduce exposure to flood hazards.
 - e. All subdivision proposals, including manufactured home parks and subdivisions, shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.
- 20. FEMA Filings
 - a. A Floodplain Development Permit applicant may be required to file paperwork with FEMA and obtain a Letter of Map Amendment or Letter of Map Revision as specified in 44 CFR of the National Flood Insurance Program Regulations and/or if it is a special condition placed on the Floodplain Development Permit by the City. Before receiving the Floodplain Development Permit, the applicant shall post a \$20,000 cash bond or letter of credit as collateral for assurance that upon completion of the proposed floodplain development, the applicant will complete this requirement. Upon issuance of the required document from FEMA, the \$20,000 cash bond or letter of credit will be returned to the applicant. If the applicant fails to obtain the official document from FEMA, the applicant forfeits this collateral.
- 21. Two-Part Building Permit
 - a. A Two-Part Building Permit shall be used for the construction of any structure with a required minimum finished floor elevation. Under the first part of the permit, the permit holder is allowed to proceed up through the pouring of the stemwalls. Upon submittal to the City of surveyed verification from a registered professional engineer or licensed surveyor that the tops of the finished pour of all of the structure's stemwalls meet or exceed the required minimum finished floor elevation, the second part of the Building Permit shall be issued to proceed with the construction of the structure.

I. Penalty

- 1. It is unlawful and an offense for any person to violate any of the provisions of **26.05.040. Flood Damage Prevention** and any person violating any of said provisions is guilty of an offense against the City, and upon being found guilty thereof by the Municipal Court of the City, shall be

subject to a fine of not more than the maximum fine allowed by State Statutes for this offense, including court costs for each offense. Each day that any offense is continued in violation of **26.05.040. Flood Damage Prevention** is to be construed as a separate offense. In addition to the fine, the City may institute appropriate actions to enforce the provisions of **26.05.040. Flood Damage Prevention** or to correct the violations thereof. All costs encountered by the City for such enforcement and correction shall become due and payable to the City upon receipt of written notification of payment due. The conviction and punishment of any person hereunder shall not relieve such person of the responsibility to correct the prohibited conditions or to remove any prohibited buildings, structures, obstructions, or improvements, nor prevent the enforcement, correction, or removal thereof.

2. In addition to the penalties provided, the City Manager shall, if in their opinion the observed circumstances warrant same, issue a Stop Work Order. Said Order will remain in effect until the necessary steps are undertaken and verified by re-inspection that make the Stop Work Order no longer necessary.
3. In addition to the penalties listed, the City Council can declare a public nuisance to exist. The offender will be required to appear before the City Council. The nuisance will be handled as described in [Chapter 8.24](#) of the City of Edmond Municipal Code.

26.05.050. Public Involvement Process

A. Adoption of Stormwater Drainage Advisory Board Public Involvement Process

The recommended public involvement process for stormwater capital plans and major projects adopted by the SWAB as set out in this section is hereby adopted as the policy for public involvement for stormwater capital plans and major projects for the City of Edmond.

B. Recommended Public Involvement Process for Stormwater Capital Plans and Major Projects

1. Basin Drainage Plans
 - a. Notification of public meetings.
 - b. Initial public meeting to inform residents and interested parties of the study and solicit input on problems and concerns.
 - c. One or more interim meetings to discuss options and proposed solutions.
 - d. Final meeting to present recommended plan and answer questions.
2. Citywide Master Drainage Plan
 - a. SWAB hosts meetings, as requested, with interested groups, including property owners associations and affected boards and authorities.
 - b. Public hearing(s) by the Public Works Committee/SWAB.
 - c. Public hearing(s) by the City Council, before adoption.
3. Funding of Capital Projects
 - a. Meetings throughout the City to discuss citywide service and capital needs and options such as bond issues and sales tax proposals - hosted by the Mayor and City Council, who develop recommended list to submit to voters.
 - b. Meetings with interested groups, including property owners associations, to discuss proposals and specific projects, upon requests.
 - c. Voter approval.
 - d. Drainage Assessment Districts.
4. Design of Capital Projects
 - a. Public workshop with interested individuals and groups, including property owners associations, boards and authorities, interested neighbors, etc., to address design issues and concerns, for projects costing \$1 million or more.

26.05.060. Stormwater Quality**A. Purpose and Scope**

1. It is the intent of this **Chapter 26.05. Stormwater Drainage** to protect, maintain, and enhance the environment of the City of Edmond and the short-term and long-term public health, safety, and general welfare of the citizens of the City of Edmond by controlling discharges of pollutants to the City's stormwater drainage system and to maintain and improve the quality of the water into which the stormwater drainage system flows, including, without limitation, the lakes, rivers, streams, creeks, ponds, and wetlands in the City of Edmond.
2. This Chapter establishes methods to regulate the introduction of pollutants to the Municipal Separate Storm Sewer System (MS4) and enables the City of Edmond to comply with all applicable State and Federal laws including, but not limited to, the Clean Water Act (33 U.S.C. 1251, et seq.), the Oklahoma Environmental Quality Act (Title 27A O.S. § 1-1-101, et seq.) and the stormwater regulations (40 CFR Part 122). The objectives of this Chapter are to allow the City of Edmond:
 - a. To regulate the contribution of pollutants to the Municipal Separate Storm Sewer System by stormwater discharges by any user;
 - b. To control the introduction to the Municipal Separate Storm Sewer System of spills, dumping, or the disposal of materials other than stormwater;
 - c. To prohibit illicit discharges to the Municipal Separate Storm Sewer System;
 - d. To carry out all inspection, surveillance, and monitoring procedures necessary to determine compliance and noncompliance with this Chapter;
 - e. To comply with the conditions in the Oklahoma Department of Environmental Quality General Permit for Phase II Municipal Separate Storm Sewer System Discharges for Small Cities (OKR04) that has been issued to the City of Edmond and with any other Federal or State laws pertaining to stormwater quality to which the City of Edmond is subject.

B. Authority

The City Manager may carry out all inspections, surveillance, enforcement, and monitoring procedures necessary to determine compliance and administer the City's compliance with its OKR04 Permit to discharge from the Municipal Separate Storm Sewer System.

1. The City Manager may investigate violations of and enforce those aspects of the Clean Water Act which are within the authority of local governments, and investigate violations of and enforce this Chapter;
2. The City Manager may create, promote, and publicize educational programs for environmental awareness and provide quantitative data through field screening programs.

C. Monitoring

The City Manager shall have the right to detect, identify, and monitor the type, quantity of, and the concentration of pollutants in stormwater discharges, in discharges entering the City's MS4 or the watercourses or the Waters of the State or United States within the City, as well as directly in the aforementioned conveyances and waterbodies themselves.

D. Illicit Connections and Improper Disposal

1. The City Manager shall take appropriate steps to detect and eliminate illicit connections to the City's stormwater drainage system, including the adoption of a program to screen for illicit discharges and identify their source or sources.

2. The City Manager shall take appropriate steps to detect and eliminate improper discharges, including programs to screen for improper disposal and programs to provide for public education, public information, and other appropriate activities to facilitate the proper management and disposal of used oil, toxic materials, and household hazardous waste.

E. Inspections

1. The City Manager is authorized to enter a structure or premise at any reasonable time to determine whether any hazard to life, property, or public welfare or any public nuisance exists. This shall include authority to enter properties for regular or periodic inspections, investigations, monitoring, observation, measurement, enforcement, sampling, and testing to effectuate the provisions of this Chapter and the conditions of the City's OKR04 Permit. The owner of said property or the representative on-site shall be duly notified, and the inspection shall be conducted at a reasonable time.
2. In the event the City Manager reasonably believes that discharges from the property into the City's stormwater drainage system may cause an imminent and substantial threat to human health or the environment, the inspection may take place at any place at any time and without notice to the owner of the property or a representative on-site. The inspector shall present proper credentials upon reasonable request by the owner or representative.
3. Upon refusal by any property owner to permit an inspector to enter or continue an inspection, the inspector shall terminate the inspection or confine the inspection to areas over which no objection is raised. The inspector shall immediately report the refusal and the grounds to the City Manager. The City Manager may seek appropriate compulsory process.
4. The City Manager may request information from an owner or representative concerning processes, methods, records, permits, or other information that reasonably can be used to determine compliance with this Chapter, the City's OKR04 Permit, or any storm water discharge permit issued by the State or Federal agency.

F. Unauthorized Discharge a Public Nuisance

No person shall conduct, allow, or permit the discharge of stormwater in any manner in violation of this Chapter, of the OKR04 Permit, of any condition of a permit issued pursuant to this Chapter, or of any stormwater discharge permit issued by the State or Federal agency. Such discharge is hereby declared a public nuisance and shall be corrected or abated by any owner and by any operator.

G. Illicit Discharge and Illegal Dumping

1. No person shall conduct, allow, or permit the direct or indirect discharge of any material other than stormwater into the MS4, the watercourses in the City of Edmond, or the Waters of the State or United States. The following direct or indirect discharges are examples of prohibited discharges; this list is not all-inclusive:
 - a. Sewage dumping or dumping of sewage sludge;
 - b. Chlorinated swimming pool discharge (greater than or equal to 0.01 mg/L or 1ppm);
 - c. Saltwater swimming pool discharge requirements;
 - d. Discharge of any polluted household wastewater, such as but not limited to laundry wash water and dishwater, except to a sanitary sewer or properly operating sewage disposal system;
 - e. Leaking sanitary sewers and connections;
 - f. Leaking or improperly operating sewage disposal system, private or otherwise;
 - g. Leaking water lines;

- h. Commercial, industrial, or non-exempt public vehicle wash or power wash discharge and commercial, industrial, or non-exempt cosmetic cleaning;
 - i. Garbage, rubbish, litter, trash (all as defined in Chapters [8.28](#) and [8.32](#) of the Edmond Municipal Code), or sanitary waste disposal;
 - j. Dead animals, animal fecal waste, or fecal absorbent such as cat litter or cedar mulch;
 - k. Non-stormwater discharges, except pursuant to a permit issued by the State or Federal agency;
 - l. Dredged or spoil material;
 - m. Solid waste and commercial or industrial process by-products;
 - n. Chemical waste, industrial waste, and hazardous waste and substances;
 - o. Wrecked or discarded vehicles, appliances, or equipment;
 - p. Wastewater;
 - q. Motor vehicle fluid;
 - r. Oil or used oil;
 - s. Paint;
 - t. Yard waste such as grass clippings, leaves, or limbs;
 - u. Sediment, litter, building materials, chemicals, concrete wash-out or slurry, or sanitary waste from a construction site;
 - v. Municipal solid waste.
2. The following non-stormwater sources are the "Allowable and Occasional Incidental Discharges" which the City of Edmond has determined to not be substantial contributors of pollutants to the MS4 and are therefore allowed:
- a. Water line flushing
 - b. Landscape irrigation
 - c. Diverted stream flows
 - d. Rising ground waters
 - e. Residential building wash water without detergents
 - f. Uncontaminated pumped ground water
 - g. Uncontaminated ground water infiltration
 - h. Discharges from potable water sources
 - i. Foundation drains
 - j. Air conditioning condensate
 - k. Irrigation water
 - l. Springs
 - m. Water from crawl space pumps
 - n. Footing drains
 - o. Lawn watering
 - p. Individual residential car washing
 - q. De-chlorinated swimming pool discharges
 - r. Street wash water
 - s. Fire hydrant flushings
 - t. Non-commercial or charity car washes

- u. Discharges from riparian areas and wetlands
 - v. Discharges in compliance with a separate Oklahoma Pollutant Discharge Elimination System (OPDES) or National Pollutant Discharge Elimination System (NPDES) NPDES permit
 - w. Discharges or flows from emergency fire fighting activities provided that the Incident Commander, Fire Chief, or other on-scene fire fighting official in charge makes an evaluation regarding potential releases of pollutants from the scene. Measures shall be taken to reduce any such pollutant releases to the maximum extent practicable subject to all appropriate actions necessary to ensure public health and safety. Discharges or flows from fire fighting training activities are not authorized by OKR04 as allowable discharges.
3. Discharges **2.a.** through **2.u.** have a low potential of being a source of pollutants. These discharges historically have been occurring in the City, yet there is no evidence, observable or measured, that suggests these discharges are negatively affecting the environment. If, however, observable or measurable negative impacts from any of these non-stormwater discharges become evident, the City of Edmond shall reassess the discharge's allowable status.
 4. For discharge **2.w.**, the local incident commander of the fire-fighting scene shall report to the City of Edmond's Drainage Utility Manager any observed releases of chemicals into the MS4 and/or watercourses. Local remediation shall be implemented and consist of deploying absorbents, chemical neutralizers, and/or booms and water skimmers to contain, neutralize, and/or remove the chemicals.
 5. Occasional incidental non-stormwater discharges (e.g., non-commercial or charity car washes, etc.) may periodically be re-evaluated by the City of Edmond. The list of all allowable non-stormwater discharges shall be maintained by City staff. Any local controls required by the City of Edmond in the future on these incidental discharges shall be placed by written amendment in the City's Phase II Stormwater Management Plan which is part of the OKR04 Permit.

H. Accidental Discharges

1. In the event of any discharge or a hazardous substance in amounts which could cause a threat to public drinking supplies, a "significant spill", or any other discharge which could constitute a threat to human health or the environment, the owner or operator or the facility shall give notice to the City of Edmond's Director of Engineering and the Environmental Complaints and Local Services Division of the Oklahoma DEQ as soon as practicable, but in no event later than the close of business on the day following the accidental discharge or the day the discharger becomes aware of the circumstances. If an emergency response by governmental agencies is needed, the owner or operator should also call 911 immediately to report the discharge. A written report must be provided to the City of Edmond's Director of Engineering within five days of the time the discharger becomes aware of the circumstances, unless this requirement is waived by the City Manager for good cause shown on a case-by-case basis, containing the following particulars: 1) a reasonably precise description of the discharge, 2) the exact date and time of discharge, and 3) steps being taken to eliminate and prevent recurrence of the discharge.
2. The owner and operator shall take all reasonable steps to mitigate any adverse impact to the City's MS4, the watercourses in the City, or the Waters of the State or United States, including such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge. It shall not be a defense for the discharger in an enforcement action that it would have been necessary to halt or reduce the business or activity of the facility in order to maintain water quality and mitigate any adverse impact that the discharge may cause. The mitigation plan shall be approved by the Drainage Utility Manager.
3. It shall be unlawful for any person to fail to comply with the provisions of this section.

I. Administrative Enforcement Remedies**1. Notification of Violation**

- a. Whenever the City Manager finds that any permittee or any person discharging stormwater has violated or is violating this UDC, or a stormwater permit or order issued hereunder, the City Manager may serve upon said person or permittee written notice of the violation.
- b. Within ten calendar days of the receipt date of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the City Manager.
- c. Submission of this plan in no way relieves the permittee or person of liability or criminal prosecution for any violations occurring before or after receipt of the notice of violation.

2. Consent Orders

- a. The City Manager is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the compliance and for the noncompliance.
- b. Such orders will include specific action to be taken by the discharger, operator and owner to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to paragraph **4 below**.

3. Show Cause Hearing

- a. The City Manager may order any person who causes or contributes to violation of this UDC or stormwater permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken.
- b. Notice shall be served specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken.
- c. The notice of the meeting shall be served personally, by Certificate of Mailing P.S. 3877 Firm Book, or by registered or certified mail (return receipt requested) at least ten calendar days prior to the hearing.
- d. Such notice may be served on any individual or the individual or the principal executive, general partner or manager of any legal entity or person of legal age at the office or business address of the permittee or violator.

4. Compliance Order

- a. When the City Manager finds that any person has violated or continues to violate this UDC or a permit or order issued thereunder, the City Manager may issue an order to the violator directing that, following a specified time period, adequate structures or devices be installed or procedures implemented and properly operated, supervised, and administrated.
- b. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the construction of appropriate structures, installation of devices, self-monitoring, and best management practices.

5. Cease and Desist Orders

- a. Notwithstanding any other notice, order, or administrative process provided by this section, when the City Manager finds that any person has violated or continues to violate this UDC or any permit or order issued hereunder, and also finds that such violation may cause an impairment of water quality or that a permit is required and has not been issued, the City Manager may issue an order to cease and desist all such violations and direct those persons in noncompliance to:

- (i) Comply forthwith; or
 - (ii) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations or terminating the discharge or both.
- 6. Appeal
 - a. A person receiving an order may file a written notice of appeal with the City Manager no later than the 10th calendar day after receipt of the order. Such notice shall include an explanation as to why the person believes the enforcement action should not be taken.
 - b. A person receiving a cease and desist order may file a written notice of appeal with the City Manager and obtain relief from such order upon a showing that the alleged violation will not cause an impairment of water quality or that a permit is not required.
 - c. A hearing on the appeal will be scheduled within a reasonable time after receipt of the notice of appeal and the required explanation.
 - d. All notices of appeal shall be signed by the owner or operator of the premises or activities in controversy, and shall include the name and address of the person filing the notice of appeal.
 - e. Notice of hearing on the appeal may be served by facsimile or first-class mail at the number or address given in the written notice of appeal.

J. Unlawful Acts

- 1. It shall be unlawful for any person to:
 - a. Violate any provision of this Chapter;
 - b. Violate the provisions of any permit issued pursuant to this Chapter;
 - c. Fail or refuse to comply with any lawful notice to abate issued by the City Manager within the time specified by such notice; or
 - d. Violate any lawful order of the City Manager or fail to comply with such an order within the time allowed by such order.
- 2. Any person who commits any act declared unlawful or fails to perform any act required by or under this Chapter or otherwise violates any provision of this Chapter shall be guilty of a Class "B" offense against the City. In addition, each and every day on which a violation shall occur or continue to occur shall be deemed a separate offense. For any second or subsequent offense and upon proof of conviction, said person shall be guilty of a Class "A" offense against the City. For any offense that occurs or is allowed to exist for two consecutive calendar days, each responsible person shall be guilty of a Class "A" offense. Violation of a cease and desist order shall be a Class "A" offense.

K. Judicial Proceedings and Relief

- 1. The City Council, upon recommendation by the City Manager, may authorize the City Attorney to initiate proceedings in any court of competent jurisdiction against any person who has or is about to:
 - a. Violate the provisions of this Chapter;
 - b. Violate the provisions of any permit issued pursuant to this Chapter;
 - c. Fail or refuse to comply with any lawful order issued by the City Manager which has not been timely appealed to the appropriate court within the time allowed by this Chapter;
 - d. Violate any lawful order within the time allowed by such order.
- 2. Any person who is required by any provision of this Chapter or by any other law to obtain a

permit prior to engaging in conduct that is regulated by this Chapter, and who fails or neglects to obtain such a permit, or who fails to exhibit such a permit upon request by a City Official, shall be guilty of a Class "A" offense against the City. Each day on which a violation shall occur or continue to occur shall be deemed a separate offense.

3. The City Manager, with consent of the City Council, may also initiate civil proceedings in any court of competent jurisdiction seeking monetary damages for any damages caused to publicly owned stormwater facilities by any person, and to seek injunctive or other equitable relief to enforce compliance with the provisions of this Chapter or to enforce compliance with any lawful orders.
4. The City Manager may petition the Oklahoma DEQ to regulate and prosecute stormwater dischargers that cannot be adequately controlled by municipal resources.

L. Reconsideration

1. Any person subject to: a denial of a permit issued under this Chapter, a compliance order, a stop work order, an emergency suspension of utility service, or any other enforcement action in this Chapter that allows for reconsideration and hearing under this section, may petition the City official who took such action to reconsider the basis for the action. In order for the petition to be re-considered, it shall be filed with such City official no later than the tenth (10th) calendar day after receipt of the notice/order.
2. Failure to submit a timely written petition for reconsideration shall be deemed to be a waiver of any further right to administrative reconsideration or review of the action.
3. In its petition, the petitioner shall indicate the action objected to, and the reasons for the objection(s), any facts that are contested, the evidence that supports the petitioner's view of the facts, any alternative terms of an order that the petitioner would accept, whether the petitioner requests a hearing on its petition and the address where notice of hearing will be received and accepted.
4. The effect of a compliance order or stop work order shall be stayed pending the City Manager's reconsideration of the petition, and any hearing thereon, unless the City Manager expressly makes a written determination to the contrary. The effect of an emergency suspension of utilities shall not be stayed pending the City Manager's reconsideration or any hearing, unless the City Manager expressly, and in writing, stays the emergency order.
5. Within a reasonable time of the submittal of a petition for reconsideration, the City Manager shall either grant the petition and withdraw or modify the order or modify or grant the permit accordingly; deny the petition if no material issue of fact is raised; or if a hearing has been requested and/or a material issue of fact has been raised, set a hearing on the petition.

M. Hearings

1. Generally, hearings and notice shall adhere to **26.01.050.G** and **26.01.050.H**. In addition to those standards, the following shall apply:
 - a. For purposes of this section, the City Manager shall be empowered to administer oaths and to promulgate procedural rules for the conduct of the meeting.
 - b. Decisions shall be based on a preponderance of the evidence. The City shall have the burden of proof in all hearings except permit denial hearings. In permit denial hearings, the burden of proof shall be on the petitioner.
 - c. The City Manager shall act as the hearing officer.
 - d. After the conclusion of the hearing, the City Manager shall make written findings of the facts and conclusions of law and shall issue a written decision without undue delay.
 - e. A hearing shall exhaust all administrative remedies of the petitioner/violator.

N. Stormwater Variances

1. Variances shall be reviewed and processed according to the procedure established in the Engineering Criteria Manual.

26.05.070. Standard Drainage Policy

A. General Drainage Policy for the City of Edmond

1. Goal
It is the goal of this policy to establish minimally acceptable standards to be utilized in the design of stormwater drainage system improvements, and, where required by sections herein, limit stormwater runoff rates after development to their historic value.
2. Purpose
The purpose of this Drainage Standard is to establish standard practices for the design and construction of stormwater drainage systems within the City of Edmond. The design factors, formulas, graphs, and procedures are intended for use as a minimum standard in the design of stormwater drainage systems.
3. Alternative Compliance
Methods of design other than those indicated herein should be considered where professional experience clearly indicates the minimum requirements as listed herein will not provide the level of service or the level of protection intended. However, there should be no extensive variations from the practices established herein without the express approval of the Director of Engineering.
4. Performance Requirements
The overall goal of these standards is to provide guidance in the design, construction, operation, and maintenance of drainage system improvements. As such, an adequate drainage system could be designed, approved by the City, and installed according to plan. However, if the proposed improvements do not function as intended by these standards, the site may be in violation of this standard. Therefore, the specific goal is not standards and specifications for practice, but the mandate that the improvements must function as intended. If additional control structures or improvements are needed to ensure total compliance with this standard, the design must be revised and approved, and the new measures shall be installed.

B. Floodplain Designations

1. Generally
Any reference to official floodplain maps shall mean the highest order of floodplain designation recognized by the City, which shall prioritize FIRM data, followed by BLE data, followed by any other such maps originating from other sources. The Director of Engineering shall maintain a continuously up-to-date file of such designations.

C. Development Grading

1. Multifamily, Mixed-Use, and Nonresidential Development
 - a. All roofs, paved areas, yards, courts and courtyards shall drain into a storm sewer system or to an approved place of disposal, not generally including existing streets.

- b. Site Plans detailing the layout and design of the stormwater runoff system shall be submitted and reviewed in accordance with the Site Plan procedure established in **26.04.040** Site Design Procedures.
- 2. Residential Development Other than Multifamily
 - a. In applicable development types, stormwater runoff from each lot may be discharged onto flat areas such as streets or lawns if drainage is provided so that the stormwater will flow away from the building.
 - b. It shall remain the responsibility of the applicant to ensure proper and prudent lot grading. The applicant shall follow the grading plan established for that lot, or, should such a plan not exist, natural drainage patterns shall be followed as understood through surveys, existing mapping, or a generalized assessment of site topography. In no case shall an applicant direct, redirect, or change the historic patterns of the stormwater runoff.
- 3. Development Grading and Stormwater Plans
 - a. Development grading plans shall adhere to the standards of Grading and Stormwater Plans as established in **26.04.040.B.7**, and in the Engineering Criteria Manual.

D. Stormwater Storage

- 1. Generally
 - a. The sizing of storage facilities shall be determined by an approved calculation method as established in the Engineering Criteria Manual.
 - b. Storage facilities shall be designed based upon maximum allowable release rates, as determined by natural-state runoff characteristics of the site.
 - (i) A continuous probability or recurrence interval criterion shall be used in designing the outlet control structure, and as a minimum, the outlet control structure shall be designed for the 2, 5, 10, 25, 50, and 100 year recurrence intervals.
 - (ii) A single-stage outlet control structure shall not be approved.
 - (iii) When a combination of storage facilities are used to control runoff, the system as a whole shall be designed according to discharge rates established in this section.
 - c. Rooftop storage, if used, shall be designed into the original building plans, and shall ensure that the roof drains within twelve (12) hours, as affirmed by the seal of a registered architect or registered professional engineer.
 - d. All storage facilities shall be provided with a paved or otherwise scour-protected emergency spillway sized to handle the entire 100-year event storm and with scour protection at its downstream end. Earth embankments shall have side slopes not steeper than 4:1 (horizontally:vertically). Proper materials shall be specified with the corresponding optimum compaction according to standards to provide stability and minimum seepage.
 - e. The outlet to a detention pond should extend to the stormsewer, creek, or other suitable location covered by a drainage easement.
 - f. The engineer shall take into account the flow that would be discharged through the emergency overflow spillway during the 100-year storm event with total blockage of all other outlets of the detention pond when designing the emergency spillway, and shall provide a safe means to convey said water without adversely affecting downstream properties.
 - g. The storage volume of a storage facility shall be oversized 10% to allow for sedimentation.
 - h. All storage ponds shall be provided with a concrete paved trickle channel from the inlet to the outlet structure to convey low flows.

- i. Erosion control for storage and/or detention facilities shall be in accordance with best practices described in this article or in other ordinances, manuals, or documents adopted by the City of Edmond.
- j. A paved access road shall be provided to all storage areas for maintenance purposes. For those owned and maintained by the City, the access road shall be dedicated as part of the storage area.
- k. Earth dams or other earth embankments shall be designed by a licensed professional engineer in accordance with accepted engineering practices to assure that dam or embankment failure will not occur. Design criteria used by the Natural Resources Conservation Service (NRCS), formerly the Soil Conservation Service, in the selection of materials and construction procedures will be acceptable. High-Hazard (Class III) dams may be permitted by the Oklahoma Water Resources Board (OWRB).
- l. Property line swale ponding and small on-site ponds, if used, shall be examined for possible adverse effects on building foundations due to saturation of the soil.
- m. Parking lot storage shall be considered the last alternative of providing required detention. The use of parking lots for storage shall be well designed to minimize the potential damage and/or threat to pedestrians, emergency responders and vehicles, and parked vehicles. In no case shall the depth of ponding in a parking lot exceed six inches (6").
- n. Structures adjacent to a detention and/or retention site shall have their finished floors (excluding ductwork) set at a minimum of two feet (2') above the 100 year storm event water surface elevation in the facility, and in all cases a minimum of one foot (1') of freeboard shall be provided from the finished floor of the structures to the top of the projected 100 year water surface elevation in the emergency spillway calculated under the conditions that all other outlets of the pond are blocked.
- o. Public safety of the detention pond and outlet works, both in a passive condition and when functioning shall be addressed in design.
- p. All detention bypass areas on the development must be identified. Increased runoff from bypass areas shall not detrimentally affect adjacent and downstream properties.
- q. The detention facility shall be designed as a visual amenity consistent with the existing topography and proposed development and should be designed with multi-use potentials related to recreation taken into consideration.
- r. Maintenance of the stormwater storage area is the responsibility of the property Owner(s).

Chapter 26.06. Definitions

26.06.010. General Rules of Interpretation

A. Usage and Interpretation Rules

For the purposes of this UDC, certain terms or words are interpreted or defined as follows:

1. Words and terms defined in this UDC have the specific meanings assigned unless the context clearly indicates another meaning.
2. The words “must,” “will,” “shall,” and “may not” are mandatory.
3. The word “may” is permissive, not mandatory or required.
4. When used with numbers, “up to x,” and “a maximum of x” all include “x.”
5. Words used in the present tense include the future tense.
6. The singular includes the plural.
7. The word “person” includes a corporation, trust, individual, group of individuals, and any other similar entities.
8. The words “used” and “occupied” also include “intended use or arranged to be used or occupied.”
9. All references to other documents, such as state or federal statutes or other policies and ordinances of the City, shall be interpreted as referring to the most up-to-date version and citation for those regulations unless otherwise specified.
10. A reference to an elected or appointed official of the City includes a designee of that official.
 - a. Unless otherwise specified or necessitated by context, any reference to the Director or to the Planning Director shall mean the Director of Planning as defined in this section.
11. A reference to the City, when the UDC prescribes review, approval, or other specific action, shall include individual officials and departments responsible for the actions in question.
12. Except as provided in 11, the word “City” shall mean the areas of jurisdiction of the City of Edmond, Oklahoma.
13. All public officials, bodies, and agencies to which reference is made are those of the City of Edmond, Oklahoma, unless otherwise specified.
14. The term “permitted/allowed” or “permitted/allowed by right” means permitted without meeting the requirements for a specific use permit.
15. When the calculation of a number for a required standard results in a fraction, that fraction is rounded up to the nearest whole number.

B. Words and Terms Not Expressly Defined

Words and terms not expressly defined in this UDC are to be construed according to the normally accepted meaning of those words or terms in the practice of planning and engineering, as defined by The American Planning Association Planner’s Dictionary. Where no definition appears in this Zoning Ordinance, nor in the Planner’s Dictionary, words and terms shall be construed according to their normally and customarily accepted meaning.

26.06.020. General Terms

A. Abbreviations

BOA. Board of Adjustment.

BLE. Base Level Engineering.

CORB. Context and Overlay Review Board.

DEQ. Oklahoma Department of Environmental Quality.

DBH. Diameter at breast height.

DRT. Development Review Team.

GFA. Gross Floor Area.

ITE. Institute of Transportation Engineers.

MUTCD. Manual on Uniform Traffic Control Devices.

NESC. National Electrical Safety Code.

PUD. Planned Unit Development.

SAF. Society of American Foresters.

SWAB. Stormwater Drainage Advisory Board.

B. Defined Terms

For the purpose of this UDC, words used in the present tense shall include the future tenses; words in the singular number include the plural and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise. The word "shall" is mandatory and not directory. For the purpose of this UDC, certain terms and words are to be used and interpreted as defined hereinafter.

Terms not defined in this UDC shall be construed in accordance with their customary usage and meaning.

1. Terms A

a. Abut

To physically touch or border upon, or to share a common property line.

b. Accessory Building or Structure

A building customarily incidental and appropriate and subordinate to the main building or use and located on the same lot with the main building. This definition includes, but is not limited to, detached garages, storage sheds, pool houses, barns, workshops, etc.

c. Accessory Use

A use customarily incidental, appropriate and subordinate to the principal use of land or buildings located upon the same premises.

d. Accidental Discharge

A discharge prohibited by **26.05.060. Stormwater Quality** and Chapters [8.28](#) and [8.32](#) of the Edmond Municipal Code into the City of Edmond's stormwater drainage system, the watercourses of the City, or the Waters of the State or United States which occurs by chance and without planning or consideration prior to occurrence.

e. Adjacent

Near or close but not necessarily having a common property line.

- f. **Agricultural Stormwater Runoff**
Any stormwater runoff from orchards, cultivated crops, pastures, range lands, and other nonpoint source agricultural activities, but not discharges from concentrated animal feeding operations as defined in 40 CFR Section 122.23 or discharges from concentrated aquatic animal production facilities as defined in 40 CFR Section 122.24 and any addition or amendment thereto.
 - g. **Alley**
A public passage or way affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.
 - h. **Alter or Alteration of a Watercourse**
Any change to the stormwater drainage system or to the land surface that changes the conveyance capacity of the stormwater drainage system.
 - i. **Alternative Compliance**
An administrative process that allows an applicant to propose an alternative to a prescribed development or design standard when strict compliance is impractical or undesirable, provided the alternative achieves equal or greater public benefit and advances the purposes of this UDC and the City's long-range plans.
 - j. **Appeal**
A request for a review of the Floodplain Administrator's interpretation of any provision of this UDC or a request for a variance.
 - k. **Area of Shallow Flooding**
A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent (1%) or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
 - l. **Area of Special Flood Hazard (Regulatory Floodplain)**
The land in a designated floodplain within the City subject to a one percent (1%) or greater chance of flooding in any given year. The area is designated on a Flood Insurance Rate Map (FIRM) developed by the Federal Emergency Management Agency (FEMA) or on a Master Drainage Plan Regulatory Floodplain Map developed for or by the City. The most restrictive or stringent map will be used in determining the floodplain. Also referred to as Special Flood Hazard Area.
 - m. **Automated/Self-Serve Car Wash**
A structure designed primarily for washing automobiles using production line methods with a chain conveyor, blower, steam cleaner, high pressure spray or other mechanical device.
 - n. **Automobile**
A self-propelled mechanical vehicle designed for use on public right-of-way for the conveyance of goods and people including but not limited to the following: passenger cars, trucks, buses, motor scooters, and motorcycles.
2. **Terms B**
- a. **Base Flood**
The flood having a one percent (1%) chance of being equaled or exceeded in any given year.
 - b. **Base Flood Elevation**
The water elevation of the base flood.

- c. Basement
 - (i) A story partly or wholly underground. For purposes of height measurement a basement shall be counted as a story when more than one-half of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.
 - (ii) Any area of a structure having its floor below ground level on all sides.
- d. Berm

An earthen mound designed to provide visual interest, screen undesirable views and/or decrease noise.
- e. Best Management Practice (BMP)

The schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the City of Edmond. See the City of Edmond Standard Drainage Policy for more information.
- f. Bid Schedule

A spreadsheet with a description of each bid item, quantities, units of measure and unit prices.
- g. Building

Any structure intended for shelter, housing or enclosure of persons, animals or chattel. When separated by fire or rated dividing walls without openings, each portion of such structure so separated shall be deemed a separate structure.
- h. Building Coverage

The percentage of the lot area covered by the building. The building area shall include all overhanging roofs.
- i. Building Site

A single parcel of land occupied or intended to be occupied by a building or structure.
- j. Building, Main

A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.
- 3. Terms C
 - a. Caliper

The diameter of the tree trunk as measured at six inches above ground level for trees less than four inches in diameter. For trees greater than four inches in diameter, caliper is measured at 12 inches above ground level.
 - b. Cannabinoid

Consistent with Oklahoma Administrative Code 310: 681-1-4 and Title 63 Oklahoma Statutes Section 427.2 these are compounds that are active principles of marijuana.
 - c. Carport

A permanent roofed structure permanently open on at least two sides, designed for or occupied by private passenger vehicles.
 - d. Cash Bond or Cashier's Check

Form of security specifically meaning a cash deposit or cashier's check.
 - e. City

- The City of Edmond, Oklahoma, a municipal corporation, and the authorized representatives of the City of Edmond.
- f. City Drainage Standards / City of Edmond Standard Drainage Policy
The criteria, standards, and specifications for stormwater drainage, land disturbance, and floodplain development adopted by the City and known as the City of Edmond Standard Drainage Policy.
 - g. City Manager
The duly appointed City Manager of the City of Edmond and/or their designated representative.
 - h. Commission
The term "Commission" means the Planning Commission of the City of Edmond, unless otherwise specified.
 - i. Conservation Area
Land permanently preserved through legal means for environmental, agricultural, scenic, or recreational purposes. Qualified lands include, but are not limited to, floodplains, wetlands, water bodies, woodlands, steep slopes, and prime farmland.
 - j. Conservation Subdivision or Cluster Subdivision
A residential development that concentrates dwelling units on a portion of the site to preserve the remainder as permanent open space.
 - k. Contaminated
Containing a harmful quantity of any substance.
 - l. Context Area
Geographic classifications that organize land based on prevailing development patterns, intensity, infrastructure, and intended future character. Context areas within this UDC are as follows:
 - (i) Rural
Characterized by large tracts of land, low-density development, and an emphasis on open space, agricultural uses, and natural resource preservation. Development patterns are dispersed, with limited infrastructure and a strong relationship to the natural landscape.
 - (ii) Suburban
Includes areas of moderate-density development dominated by residential neighborhoods, commercial centers, and supporting civic uses. Development is generally auto-oriented, but walkable, with a connected street network and access to full municipal services.
 - (iii) Urban
Consists of the most intense and connected areas of Edmond, including downtown and key nodes. It is defined by compact, mixed-use development, walkability, and a strong public realm supported by a full range of infrastructure and services.
 - m. Convalescent, Rest, Nursing Home, or Extended Care Facility
A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.
 - n. Corrugated Metal Siding

- An exterior wall cladding material consisting of metal panels formed with repetitive ridges or waves which may use concealed or exposed fastener systems to affix to each other and underlying structural components. This may include insulated paneling.
- o. Court
An open unoccupied space, other than a yard on the same lot with a building or group of buildings and which is bordered on two or more sides by such building or buildings.
 - p. Court, Inner
A court other than an outer court. The length of an inner court is the minimum horizontal dimension measured parallel to its longest side. The width of an inner court is the minimum horizontal dimension measured at right angles to its length.
 - q. Court, Outer
A court the full width of which opens onto a required yard public right-of-way. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard or public right-of-way upon which the court opens. The depth of an outer court is the minimum horizontal dimension measured at right angles to its width.
 - r. Courtyard, Inner
An open-air space located centrally within a building or development block, enclosed on three or more sides by structures, which serves to provide light, ventilation, and a semi-private amenity or gathering area for occupants.
 - s. Courtyard, Outer
 - t. An open space adjacent to or partially surrounded by structures that opens outward toward streets or adjacent properties—typically more public-facing than an inner courtyard—and used for plazas, outdoor seating, landscaping, or pedestrian amenities
 - u. Critical Feature
An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
 - v. Cross Timbers Forest, Potential Remnant
Predominately post oak and black jack oak forested areas that have potentially remained forested since statehood. These are considered especially sensitive and valuable forest areas.
4. Terms D
- a. Days
Calendar days.
 - b. Deciduous
A plant with foliage that is shed annually.
 - c. Deed Approval
The division of any unplatted parcel of land into residential, commercial or industrial zoned lots, or tracts less than five acres in size.
 - d. Deforestation
The permanent removal of a forest area, commonly for the purpose of making room for a different type of use.
 - e. Detention
The temporary storage and controlled release of stormwater runoff.
 - f. Detention Facility

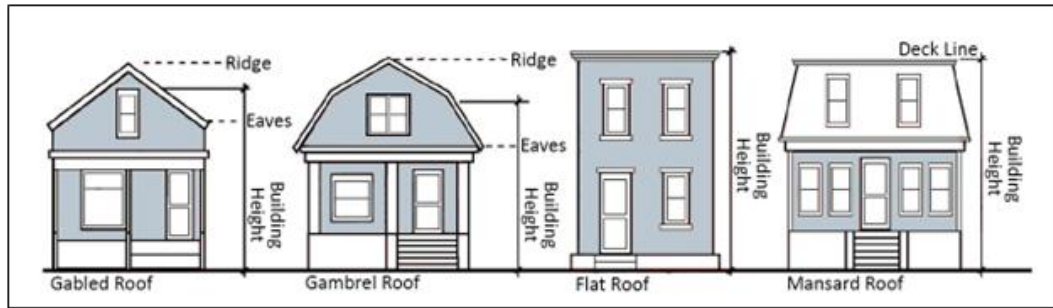
- A facility that provides temporary storage of stormwater runoff and controlled release of this runoff.
- g. Developed Real Estate
- Shall mean real property altered from its natural state by the addition to or construction of any impervious surface such that the hydrology of the property is affected.
- h. Development
- (i) Any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, vegetation removal, clearing and grubbing, paving, excavation, retaining walls, drilling operations, or storage of equipment or materials. The following does not constitute development: lawn and yard care, gardening, tree care and maintenance, removal of trees or other vegetation damaged by natural forces.
- (ii) Development is defined as grading or altering the existing topography and grades through the removal or addition of soil, as well as, the addition of water impervious surfaces, street construction and surfacing, construction of curbs, gutters, controlled gated access, sidewalks, crosswalks, culverts, bridges, water lines, sanitary sewer lines, force sewer mains, lift stations, storm sewer lines, other utilities and other required improvements on any parcel or tract of land.
- i. Development Review Team (DRT)
- The Development Review Team (DRT) includes representatives from the Engineering Department, Building Department, Fire Prevention Bureau, Electric Department and Planning Department. It may be necessary to include utility operators when easements and/or facilities impact a subdivision plat.
- j. Diameter at Breast Height (DBH)
- The diameter of a tree trunk as measured four and one-half feet above ground level.
- k. Director of Engineering
- The individual appointed by the City as the Director of the Engineering Department or their designee.
- l. Director of Planning
- The individual appointed by the City as the Director of the Planning Department or their designee.
- m. Discharge
- To cause or allow to throw, drain, release, dump, spill, empty, emit, blow, or pour any pollutant or non-permitted substance into the Municipal Separate Storm Sewer System (MS4), any watercourse of the City, or any Water of the State or United States.
- n. Discharger
- Any person who causes, allows, permits, or is otherwise responsible for a discharge, including, without limitation, any operator of a land disturbance site or a construction site or an industrial facility, any owner of a commercial property or a residential property or an agricultural property, and any owner or transporter of a source of discharge.
- o. Disease and Pest Free
- No visible signs of insect casts, egg sacs, frass, exit holes or other evidence of pest infestation. No signs of necrosis, canker, decay, trunk or branch injury, weeping, fungal fruiting bodies, or other evidence of plant disease.
- p. District, Zoning or Base

- Any section or sections of the City for which regulations governing the use of buildings and premises or the height and area of buildings are uniform.
- q. Drainage Assessment District
Shall mean those districts consisting of property owners of record of land adjacent to and/or directly affected by drainage improvement projects, whereby pursuant to Oklahoma Statutes or by agreement, participate in the cost of the projects by providing materials by providing materials or other equitable considerations for the project.
 - r. Drainage Basin Plan
Shall mean the plan adopted by the City for managing surface and stormwater facilities and features within an individual drainage basin.
 - s. Drainage Improvement Project
Shall mean all components of work to be performed by the City of Edmond, its employees, and agents to plan, design, construct, and maintain the stormwater drainage system in the City of Edmond, such as channels, culverts, erosion control, drainage structures, detention ponds, and such other projects specifically related to controlling, maintaining, and improving storm drainage.
 - t. Dwelling or Dwelling Unit
A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. In quasi unit quarters such as nursing homes or extended care facilities, accommodations for every three persons shall be counted as a dwelling unit.
 - u. Dwelling, High Occupancy
A dwelling designed for occupancy by multiple persons who live independently of each other, by having separate secured bedrooms, separate and secured or bathrooms, a common kitchen and living area, and are leased by the bedroom.
5. Terms E
- a. Exterior Insulation and Finish System (EIFS)
Nonstructural, non-load-bearing, exterior wall cladding systems that consist of an insulation board attached either adhesively or mechanically, or both, to the substrate; an integrally reinforced base coat and a textured protective finish coat.
 - b. Easement
A legal right, established by recorded instrument or other lawful means, that grants a person, utility, governmental entity, or other authorized party limited use or access over, under, or across a portion of private property for a specific purpose, while the underlying ownership of the land remains with the property owner.
 - c. Easement, Utility
Any area within, on, over, and/or under real property in which are provided to allow access for public and private utility employees, private contractors and adjoining homeowners for the purpose of access, construction, repair and maintenance of said utility.
 - d. Elevated Building
Means a non-basement building (i) built, in the case of a building in the Regulatory Floodplain to have the top of the lowest habitable floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the flow of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. Elevated building also includes a building

- in a Regulatory Floodplain elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.
- e. **Enforcement Authority**
The Edmond City official who is responsible for assuring that the provisions of the Edmond Municipal Code are enforced, and shall be the City Manager.
 - f. **Engineering Criteria Manual**
The City of Edmond's adopted and amended manual and policies establishing standards for the design, installation, construction, and functionality of public and private infrastructure systems, including but not limited to roadways, sidewalks, trails, and other mobility systems, water, wastewater, and stormwater systems, and low-impact development systems.
 - g. **Equivalent Service Unit, Drainage**
Shall mean four thousand eight hundred sixty (4,860) square feet of impervious surface, or a portion thereof.
 - h. **Erosion**
The process by which the ground surface is worn away by the action of the wind, water, ice, gravity, or artificial means, and/or land disturbance activities.
 - i. **Evergreen**
A plant with foliage that persists and remains green year-round.
 - j. **Existing Construction**
For the purposes of determining actuarial insurance rate, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" also may be referred to as "existing structures."
 - k. **Expansion to an Existing Manufactured Home Park**
The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
6. **Terms F**
- a. **Family**
One or more persons living together on a long-term basis, but not including a group occupying a hotel, group home, boardinghouse, club, dormitory, fraternity or sorority house. Notwithstanding the foregoing provisions, no provisions of this UDC or Code shall restrict the use of a family dwelling so as to interfere or violate the Fair Housing Act, the Oklahoma Fair Housing Law, or federal or state regulation which prohibits the discrimination based upon disability, age or infirmity.
 - b. **Federal Emergency Management Agency (FEMA) Elevation Certificate**
Is the official Federal form that is used to provide elevation information necessary to ensure compliance with community floodplain management ordinances. Only the most recently released version of this form shall be accepted. In all cases, the form shall have the Building Photographs section completed with the appropriate photographs as described in the instructions.
 - c. **Finished Grade**
The final grade or elevation of the ground surface conforming to an approved plan.
 - d. **Flood Hazard Area**

- An Area of Special Flood Hazard.
- e. Flood Insurance Rate Map (FIRM)
An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
 - f. Flood Insurance Study
Is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevations of the base flood, as well as the Flood Boundary-Floodway Map.
 - g. Flood or Flooding
A general and temporary condition of partial or complete inundation of normally dry land areas. Flooding results from the overflow of inland waters or the unusual or rapid accumulation of surface water runoff from any source.
 - h. Flood Protection System
Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
 - i. Floodplain
Any land area susceptible to being inundated by water from any source (see definition of flooding).
 - j. Floodplain Management
The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
 - k. Floodplain Management Regulations
The zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain, grading, and erosion control ordinances) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
 - l. Floodproofing
Any combination of structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
 - m. Floodway (Regulatory Floodway)
The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
 - n. Forested Area
The extent of a stand of trees of maturity, density, condition and vigor sufficient enough to maintain the ecosystem health.
 - o. Forester

- A forester learns the art and practice of forestry through comprehensive scientific and technical coursework and practical field experience. A forester has a Bachelor's degree or higher from a SAF-accredited forestry program.
- p. Fuel Sales
An establishment engaged in part or in whole in the sale of vehicle and equipment fuel.
 - q. Full Development/Full Urbanization (Future Floodplain)
The full potential urbanization of the contributing watershed considering the most recent Land Use Plan. The most restrictive interpretation will be followed.
 - r. Functionally Dependent Use
Means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
7. Terms G
- a. Grade, #1
Grade rankings are established by each nursery. Those that are #1 grade are the best formed, best structure, and best looking trees without any structural defects.
 - b. Grading
Any act by which soil is cleared, stripped, moved, leveled, stockpiled, or any combination thereof, and includes the conditions that result from that act.
 - c. Gross Floor Area
The sum of the gross horizontal areas of all of the floors of a building or buildings, measured from the interior faces of exterior walls or from the centerline of walls separating two buildings, and including but not limited to, the following spaces:
 - (i) Basements;
 - (ii) Elevator shafts and stairwells at each floor;
 - (iii) Floor space for mechanical equipment with structural head room of seven feet;
 - (iv) Penthouses;
 - (v) Attic space providing head room of seven feet or more;
 - (vi) Interior balconies, mezzanines and enclosed covered porches and enclosed steps; Accessory uses in enclosed covered space, but not including space used for off-street parking.
8. Terms H
- a. Habitable Space
Any space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.
 - b. Height, Building
The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or the deckline of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.



c. Height, Structure

The vertical distance from the finished grade to the highest point of a structure.

d. High-Intensity Color

A color with a high level of brightness and saturation that creates a visually dominant or attention-drawing appearance when viewed in the daylight. High-intensity colors include, but are not limited to, fluorescent, neon, or other highly reflective pigments, such as metallics, that produce vivid or glaring visual elements.

e. Higher Regulatory Flood Study

Any adopted hydrologic and hydraulic analysis performed by and for the City of Edmond for the express purpose of further regulating the City's floodplains.

f. Highest Adjacent Grade

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

g. Historic Structure

Any structure that is:

- (i) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (ii) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (iii) Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the Secretary of the Interior; or
- (iv) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of the Interior, or;
 - (b) Directly by the Secretary of the Interior in states without approved programs.

h. Home Improvement Center

Any building or structure selling home improvement and building construction items including but not limited to paint, lumber, plumbing supplies, garden supplies, appliances and hardware, or any building or structure using outdoor storage or display of such materials or products.

9. Terms I

a. Illicit Discharge

Any intentional discharge to the Municipal Separate Storm Sewer System, any watercourse of the City, or any Water of the State or United States that is not composed entirely of

stormwater, except discharges pursuant to any OPDES or NPDES Permit and discharges allowed per this Chapter.

b. Impervious Coverage

The area covered by impervious surfaces.

c. Impervious Surface

Shall mean any hard surfaced area which prevents or retards the entry of water into the soil in the manner and to the extent that such water entered the soil under natural conditions, causing water to run off the surface in greater quantities or at an increased rate of flow than was present under natural conditions, such as but not limited to rooftops, asphalt or concrete sidewalks, paving, driveways and parking lots, walkways, patio and pool areas, storage areas, and gravel, oiled macadam, or other surfaces which similarly affect the natural infiltration or runoff patterns of real property in its natural state.

d. Improvements, Private

Any retaining walls, parking lots or drives, drainage conveyance systems, detention ponds or other facilities built where the property owner retains maintenance and operation responsibilities.

e. Improvements, Public

Any street, alley, roadway, barricade, sidewalk, bikeway, pedestrian way, utility, park, landscaping, or other facility for which the City may ultimately assume responsibility for maintenance and operation or which may affect an improvement for which the City responsibility is already established.

f. Infill Development

The development or redevelopment of underutilized or vacant parcels within an established, infrastructure-connected urbanized area in a manner that promotes efficient use of infrastructure and land, helps counter urban sprawl, and supports sustainable growth objectives.

g. ISA Certified Arborist

A certified arborist is a specialist in the art and science of planting, caring for, and maintaining individual trees. To become certified, the arborist must have a minimum of three years' experience in arboriculture, pass a certification exam sponsored by the International Society of Arboriculture (ISA), and complete 30 hours of continuing education every three years.

10. Terms K

a. Kennel

(i) Any lot or premises on which there are five (5) or more dogs, excluding unweaned puppies.

(ii) A lot or premises where overnight stays, including indoor and/or outdoor runs, for dogs who do not permanently reside on the premises occur.

11. Terms L

a. Land Disturbance

The vegetation removal, surveying, geotechnical exploration, clearing and grubbing, excavating, grading, leveling, regrading, landfilling, berming, or diking of land within the City.

b. Levee

A human-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

- c. **Levee System**
A flood protection system that consists of a levee or levees, and associated structures such as closure and drainage devices, which is constructed and operated in accordance with sound engineering practices.
- d. **Licensed Land Surveyor**
An individual who is duly licensed by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors to practice surveying.
- e. **Loading**
Relocating persons or cargo between a motor vehicle and a site or building. Examples include moving cargo from a delivery vehicle into a building, or the act of a vehicle waiting near a building to allow a passenger to enter and be transported elsewhere, such as occurs when using rideshare services. Cargo and passenger loading may be treated differently.
- f. **Lot**
Any plot of platted land on record with the County, including occupied by one building or a group of buildings, and accessory buildings and uses, including such open spaces as required by this Ordinance and other ordinances, having its frontage on a street and located in a subdivision or on unplatted property.
- g. **Lot Area**
The total horizontal area included within lot lines.
- h. **Lot Depth**
The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.
- i. **Lot Line**
The lines bounding a lot as defined herein:
 - (i) **Front:** The boundary of a lot which abuts a public street.
 - (ii) **Rear:** The boundary of a lot which is most distant from and most nearly parallel to the front lot line.
 - (iii) **Side:** Any boundary of a lot which is not a front lot line or a rear lot line.
- j. **Lot Split**
The redivision of any residential, multi-family, commercial, office, or industrial zoned platted lot, parcel or tract in a recorded plat.
- k. **Lot, Corner**
A lot of which at least two adjacent sides abut for their full lengths on a public right-of-way, provided that the interior angle at the intersection of such two sides is less than 135 degrees.
- l. **Lot, Double Frontage**
A lot having a frontage on two non-intersecting public right-of-way, as distinguished from a corner lot.
- m. **Lot, Flag**
A large lot which does not meet minimum frontage requirements and where access to the public road is by a narrow, private right-of-way or driveway.
- n. **Lot, Frontage**
That dimension of a lot or portion of a lot abutting a public right-of-way. For zoning purposes, the side dimension of a corner lot is excluded.

- o. Lot, Interior
A lot other than a corner lot.
- p. Lowest Adjacent Grade
The lowest grade adjacent to the walls of a structure.
- q. Lowest Floor
Also referred to as "finished floor" means the lowest floor of the lowest enclosed area (including entry floor level, living areas, garage, walk-out, basement), along with electrical and mechanical equipment, and ductwork. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.
- r. Low-intensity Non-residential
A land use other than residential that involves modest scale and impact—such as small professional offices, community services, or neighborhood retail—characterized by limited hours of operation, minimal traffic generation, and reduced noise levels, often serving as a transitional buffer between residential zones and more intensive commercial or industrial areas.

12. Terms M

- a. Major Intersection
Major intersection involves one or more of the following street classifications: freeway/interstate, expressway, frontage road, major arterial, minor arterial, and major collector.
- b. Manual on Uniform Traffic Control Devices (MUTCD)
Defines the national standards for road markings, highway signs, and traffic signals.
- c. Marijuana
Consistent with Oklahoma Administrative Code 310: 681-1-4 and Title 63 Oklahoma Statutes Section 427.2, and Title 63 Oklahoma Statutes Section 2-101 means all parts of a plant of the genus cannabis.
- d. Master Drainage Plan
A scientific and engineering report compiling hydrologic and hydraulic data pertinent to the determination of special flood hazard areas and the mitigation of those areas located in the drainage basin of a waterway.
- e. Massage Therapist
An individual who practices massage or massage therapy and is licensed pursuant to the Massage Therapy Practice Act. A massage therapist uses visual, kinesthetic, and palpatory skills to assess the body and may evaluate a condition to the extent of determining whether massage is indicated or contraindicated. See 59 O.S. § 4200.2(3).
- f. Massage Therapy Practice Act
The Act regulates the occupation of massage therapy and authorizes the State Board of Cosmetology and Barbering to promulgate and adopt certain rules necessary for implementation and enforcement of the Act. The Act also mandates certain qualifications and licensures for all massage therapists and massage therapy schools. See 59 O.S. § 4200.1, et seq.
- g. Massage Therapy School

- A facility providing instruction in massage therapy that is accredited by the Massage Therapy Practice Act as implemented and enforced by the State Board of Cosmetology and Barbering. See 59 O.S. § 4200.2(5)
- h. **Massage Therapy Student**
A person who is actively acquiring their 500+ hours of education consistent with the Massage Therapy Practice Act, who is learning under a fully licensed massage therapist at a licensed and accredited massage therapy school.
 - i. **Massing**
The overall three-dimensional form, size, and arrangement of a building's volume, including how its height, width, depth, and bulk are organized and perceived in relation to adjacent buildings, streets, and open spaces. Massing encompasses the composition and articulation of building elements, such as variations in height, setbacks, roof forms, and façade planes, that shape the building's scale and visual impact.
 - j. **Mean Sea Level**
For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
 - k. **Media**
Anything printed or written, or any picture, drawing, photograph, motion picture, film, videotape or videotape production, or pictorial representation, or any electrical or electronic reproduction of anything that is or may be used as a means of communication. Media includes but shall not necessarily be limited to books, newspapers, magazines, movies, videos, sound recordings, optical discs, other magnetic media, and undeveloped pictures.
 - l. **Medical Marijuana Commercial Grower**
Consistent with Oklahoma Administrative Code 310: 681-1-4 and Title 63 Oklahoma Statutes Section 427.2, is licensed by the State of Oklahoma to cultivate and prepare medical marijuana for a medical marijuana dispensary and/or a medical marijuana processor.
 - m. **Medical Marijuana Products**
Consistent with Oklahoma Administrative Code 310: 681-1-4 and Title 63 Oklahoma Statutes Section 427.2, products that contain compounds that can act on cannabinoid receptors in cells, which are produced naturally by marijuana and some other plants.
 - n. **Metal**
Any material primarily composed of one or more metallic elements or alloys thereof, including ferrous metals, non-ferrous metals, and metal-composite materials, and including but not limited to aluminum, brass, bronze, copper, gold, iron, silver, steel, tin, titanium, tungsten, and zinc.
 - o. **Minor Modification**
A proposed change to a previously approved PUD Site Plan that does not change a plan dimension or site feature more than can be approved administratively by the Director, adhering to the same limits of adjustment as are established for Alternative Compliance.
 - p. **Monitoring**
The performance of stormwater flow measurements, stormwater sampling, sample analysis, visual inspections, and like procedures necessary to determine compliance with stormwater discharge activity.

q. Motor Vehicle

Any self-propelled device designed for and used to transport people or property upon public roadways, powered by an engine or electricity. Exclude vehicles that run on rails, have top speeds under 25 mph, or vehicles lacking standard safety features.

r. Motor Vehicle Fluid

Any vehicle crankcase oil, antifreeze, transmission fluid, brake fluid, differential lubricant, gasoline, diesel fuel, gasoline/alcohol blend, and any other fluid used in or from within a motor vehicle.

s. Multiple Tenant Site

A lot or contiguous lots under unified ownership or common control that are developed or intended to be developed with two or more separate tenants, occupants or uses. Multiple tenant sites may consist of a single building containing multiple tenant spaces or multiple buildings within the same development and typically share common site improvements, such as parking areas, drive aisles, pedestrian circulation, and landscaping.

t. Municipal Separate Storm Sewer System (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) owned or regulated by the City and designed or used for collecting or conveying stormwater, and which is not used for collecting or conveying sewage.

u. Municipal Solid Waste

Solid waste resulting from or incidental to municipal, community, commercial, institutional, or recreational activities, and includes garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and other solid waste other than industrial waste.

13. Terms N

a. National Pollutant Discharge Elimination System (NPDES) Permit

A permit issued by EPA (or by the State as an OPDES Permit under authority delegated pursuant to 33 U.S.C. § 1342 (b)) that authorizes the discharge of pollutants to Waters of the United States (or Waters of the State), whether the permit is applicable on an individual, group, or general area-wide basis.

b. Natural State

The cover and topography of land before any development, land disturbance, or tree removal.

c. New Construction

For floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

d. Nonconforming Situation

A lawful condition of a structure or land which does not conform to the regulations of the district in which it is situated. This may include but is not limited to failure to conform to use, height, area, coverage or off-street parking requirements.

e. Nonconforming Use

A structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is situated.

f. Nonpoint Source

Any source of any discharge of a pollutant that is not a "point source."

14. Terms O

- a. Oil
Any kind of oil in any form including, but not limited to, petroleum, fuel oil, crude oil or any fraction thereof, which is liquid at standard conditions of temperature and pressure, sludge, oil refuse, and oil mixed with waste.
- b. Oklahoma Administrative Code (OAC)
Oklahoma Secretary of State's Published rules and regulations.
- c. Oklahoma Pollutant Discharge Elimination System (OPDES) Permit
See National Pollutant Discharge Elimination System (NPDES) Permit.
- d. One-Hundred-Year Frequency Rainstorm (Base Flood)
Is the rainstorm having an average statistical frequency of occurrence in the order of once in one hundred (100) years, although the rainstorm may actually occur at any time.
- e. Open Space, Recreational
Any land, under single ownership, which is dedicated to open, outdoor recreational uses such as, but not limited to, parks, amphitheaters, arboretums, botanical gardens, golf courses, or ball fields or courts, and which is submitted for City development approval as a single plan and developed pursuant to one grading plan.
- f. Ordinary Maintenance and Repair
Shall mean any work for which a building permit or any other City permit or certificate is not required, and where the purpose of such work is stabilization, and further, where such work will not noticeably change the exterior appearance of the resource. Any work not satisfying all of the above requirements shall not be considered ordinary maintenance and repair. The following examples shall not be considered ordinary maintenance and repair: The application of paint to previously unpainted brick, or masonry, the construction or enlargement of a driveway or parking area, the replacement of exterior doors or windows, except for repair of broken glass or screens by use of like glass or screens, and further, there are other types of construction or other work that shall not be considered ordinary maintenance and repair.

15. Terms P

- a. Parking Space
A permanently surfaced area, striped or capable of being striped per City standards, enclosed or unenclosed, sufficient in size to store one automobile together with a permanently surfaced driveway connecting the parking space with a public right-of-way and permitting ingress or egress of an automobile.
- b. Permanent City Monument
The term "permanent City Monument" means the standard monument used by the City as specified in the City Engineering Standards and Specifications.
- c. Planned Unit Development
A development planned in accordance with the provisions of **26.02.030.A** and **26.02.050.F** of this UDC.
- d. Planning Director
See, Director of Planning.
- e. Plant Unit
A measurement tool that translates the amount of required plant material into a quantifiable, but flexible unit.

f. Plat

To plat means to identify or subdivide land into one or more parcels with specific features, such as lots or roads and to complete the legal requirements needed to identify the parcel as platted.

g. Point Source

Any discernible, confined, and discrete conveyance including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged.

h. Pollutant

Any dredge spoil, solid waste, incinerator residue, oil, grease, sewage, garbage, sewage sludge, munitions, medical waste, chemical waste, industrial waste, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, sediment from construction sites and graded areas, agricultural and industrial waste, and any characteristics of wastewater (i.e., acidity or alkalinity (pH), temperature, total suspended solids (TSS), turbidity, color, biological oxygen demand (BOD), chemical oxygen demand (COD), toxicity, odor).

i. Porch

A covered, screened-in or unenclosed, projecting from an exterior wall, and typically located at or near the primary entrance. A porch is open on at least one side to the outdoors and may be enclosed with insect screening, railings, or open guards, but is not fully enclosed with solid walls or fenestration. A porch may be supported by piers, columns, or other structural members and may be elevated or at grade.

j. Power-Generation Tower or Structure

A power-generation tower or structure is anything constructed, erected or set up upon the ground or attached to something having a permanent location on the ground, the purpose of which is to generate and supply power, through the assistance of a renewable energy source, to be utilized by an existing principal residential or nonresidential use of the property on which it is situated. A power-generation structure shall be deemed to include all structural and mechanical components thereof. Nothing herein shall be construed or deemed to authorize the construction or use of any such tower or structure in the absence of compliance with any applicable ordinances, building or electrical codes, tariffs, contracts, utility regulations or State or Federal requirements or statutes of any nature.

k. Principal Use

A Principal Use is the primary or main use of a lot, parcel, building, or structure, to which all other uses on the site are subordinate and incidental. A principal use represents the dominant purpose for which the property is intended or occupied. A property may have more than one principal use only when such uses are specifically permitted by this UDC and are designed and operated in a coordinated manner.

l. Professional Engineer

An engineer duly licensed by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors to practice engineering.

m. Property Owners' Association

An incorporated non-profit organization operating under recorded land agreements through which:

- (i) Each property owner in a shopping center-type development is automatically a member;

- (ii) Each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property; and
 - (iii) The charge if unpaid becomes a lien against the property.
 - n. Protected Tree
Any tree regulated under the Unified Development Code, including trees required to be preserved or planted pursuant to subdivision, zoning, or landscaping regulations.
 - o. Pruning, Lions-Tailing
The use of branch removal cuts to remove interior lateral branches, resulting in a concentration of growth at branch ends (from ANSI A300 Tree Care Standards).
 - p. Pruning, Restoration
Pruning to redevelop the structure, form and appearance of topped or damaged woody plants. (from ANSI A300 Tree Care Standards).
16. Terms R
- a. Recreational Vehicle
A vehicle which is
 - (i) built on a single chassis;
 - (ii) 400 square feet or less when measured at the largest horizontal projections;
 - (iii) designed to be self-propelled or permanently towable by a light duty truck; and
 - (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
 - b. Redevelopment
The process of rehabilitating, replacing, or adaptively reusing existing structures or previously developed sites, often elevating land use intensity, improving functionality, or aligning with contemporary planning objectives.
 - c. Refuse Facilities
Designated provisions for waste handling and sanitation, including trash, recycling, and composting areas; these may be enclosed rooms or screened outdoor enclosures, designed to accommodate waste collection vehicles and maintain health, safety, aesthetics, and sorting of refuse materials into different processing categories such as recyclables, compost, and others.
 - d. Remnant Cross Timbers Forest
See Cross Timbers Forest, Potential Remnant.
 - e. Retention or Detention Facilities
Shall mean facilities designed to hold stormwater for a short period and then to release it to the natural watercourse or to hold stormwater for a sufficient length of time to provide for it to be consumed by evaporation, infiltration into the soil, or other natural means.
 - f. Residential Property
Shall mean any property designed and used principally for residential purposes and developed according to and meeting the bulk and area requirements for a Residential District property as set forth in this UDC at the time of development of such property.
 - g. Right -of-Way
A parcel of land occupied, or intended to be occupied, by a street or alley. Where appropriate, right-of-way may include other facilities and utilities such as sidewalks, railroad crossings, electrical, communication, oil and gas facilities, water and sanitary and storm sewer facilities, street improvements and any other special use. The use of right-of-

way shall also include parkways and medians outside of the paved portion of the street. The usage of the term “right-of-way” for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and shall not be included within the dimensions or areas of such lots or parcels.

h. Rural Context Area

See, *Context Area*.

17. Terms S

a. Sanitary Sewer (or Sewer)

The system of pipes, conduits, and other conveyances that carry industrial and domestic wastewater from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, to a wastewater treatment plant and to which stormwater, surface water, and groundwater are not intentionally admitted.

b. Sanitary Sewer/Wastewater System Components

The terms used herein shall include the following meanings:

- (i) The public sanitary sewer collection system shall consist of lateral lines, interceptor lines, lift stations, force mains, and other appurtenances such as manholes and air release valves.
- (ii) Service lines are private lines carrying wastewater from individual dwellings or places of business to the lateral lines.
- (iii) Lateral lines collect wastewater from the service lines.
- (iv) Interceptor lines collect wastewater from a number of lateral lines and convey it to a central point for treatment. Interceptor lines shall be designated as such by the City. Service lines shall not connect directly to the interceptor lines.
- (v) Lift stations are any pumping facility used to lift wastewater to a higher point and discharge into a force main or treatment plant.
- (vi) Force mains are any pipeline under positive internal pressure used to convey sewage from a lift station to a point of discharge.
- (vii) Sanitary sewer basin is that land mass defined by topographic elements which determine the gravity-flow basin.
- (viii) Excess capacity is the additional wastewater conveyance capacity required in a sewer main, sewer interceptor, lift station, and/or force main needed to serve the ultimate upstream drainage basin needs and is capacity in excess of the specific limited capacity required to meet the immediate needs of the area being platted, subdivided, and/or under consideration.

c. Screen

A method of creating a visual and acoustical barrier to block the view and sound from one property to another.

d. Sediment

Soils or other materials transported or deposited by the action of wind, water, ice, gravity, or artificial means.

e. Sedimentation Basin

A surface water runoff storage facility intended to trap suspended solids, suspended and buoyant debris, and absorbed or adsorbed potential pollutants which are carried by surface water runoff. The basin may be part of an overall multipurpose stormwater drainage system.

- f. Setback
A line, generally parallel with and measured from the property line, defining the limits of a yard in which no building, structure, or portion of a building or structure may be located above ground, except as explicitly provided in this UDC. Setbacks may be noted as “Front,” “Side,” “Corner Side,” or “Rear,” relating each to the property line from which it is to be measured and to the yard whose limits it defines.
- g. Shrub
A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.
- h. Site
Any lot(s) and/or parcel(s) of land adjoining, contiguous, or joined together on which land development activity is proposed.
- i. Slope
The inclined surface of a fill, excavation, or natural terrain expressed as a ratio of horizontal distance to vertical distance over a measured inclined surface.
- j. Soil
The unconsolidated mineral and organic material (i.e., earth, sand, gravel, rock or other similar material) on the immediate surface of the earth that serves as a natural medium for the growth of land plants.
- k. Solid Waste
Any garbage, rubbish, refuse, municipal solid waste, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, municipal, commercial, mining, agricultural operations, community and institutional activities, including metal shavings, plastic pellets, paint chips, carpet fibers, wood chips, sawdust, grass clippings, and leaves.
- l. Spill
Any release that, in the opinion of the City Manager, negatively impacts the quality of water within or discharges from the City's Municipal Separate Storm Sewer System, or causes damaging or deleterious effects to the City's Municipal Separate Storm Sewer System including all structures or appurtenances, and/or the waters to the storm sewers, and/or the City's watercourses or the Waters of the State or United States.
- m. Stable, Private
An accessory use to a residential property where horses or other animals are kept solely for the personal use and enjoyment of the property owner or occupants, and not for commercial purposes. Private stables do not involve boarding, training, or rental services for individuals outside the household. Private stables have capacity for no more than two animals.
- n. Stable, Public
A facility where horses or other animals are kept, boarded, trained, bred, or used for riding, instruction, or recreation, and where such services are offered to individuals other than the property owner, whether for a fee or not.
- o. Stand
A community of trees sufficiently uniform in species composition, age, arrangement, and condition to be distinguishable as a group from the forest or other growth on the adjoining area, and thus forming a silviculture or management entity.

p. Start of Construction

Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alterations of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

q. Storm Shelter or Safe Room

Any structure, built above or below ground, with the sole intent to protect life and limb from adverse weather conditions.

r. Stormwater

Any rainwater runoff, surface runoff, and drainage related to rain or storm events or snow melt.

s. Stormwater Service Charge

Shall mean the fee levied within the boundaries of the City for the City's stormwater drainage facilities

t. Stormwater Drainage Basin

The total land area where surface water runs off and collects in a stream or series of streams that make up a single watershed.

u. Stormwater Drainage Management

The collection, conveyance, storage, treatment, and disposal of stormwater runoff in a manner to meet the objectives of this **Chapter 26.05. Stormwater Drainage** and its terms, including, but not limited to, measures that control the increased volume and rate of stormwater runoff and water quality impacts caused by manmade changes to the land.

v. Stormwater Drainage Management Program

The overall strategy and framework for the stormwater management activities of the City.

w. Stormwater Drainage System

Any facility, structure, improvement, development, equipment, property or interest therein, or other structural or nonstructural element made, constructed, used, or acquired for the purpose of collecting, containing, storing, conveying, and controlling stormwater wherever located, including, but not limited to, storm sewers, streets, gutters, curbs, street drains, conduits, natural and manmade channels, pipes, culverts, and detention or retention ponds whether public or private.

x. Stormwater Drainage System

Any facility, structure, improvement, development, equipment, property, or interest therein, or other structural or nonstructural element made, constructed, used, or acquired for the purpose of collecting, containing, storing, conveying, and controlling stormwater wherever located including, but not limited to, storm sewers, conduits, natural and man-made channels, pipes, culverts, and detention ponds whether public or private.

- y. **Stormwater Management Plan**
The overall strategy and framework for the stormwater management activities of the City
- z. **Stormwater Runoff**
That portion of the rainfall that is drained into the stormwater drainage system.
- aa. **Story**
That portion of a building, included between the upper surface of a floor and the upper surface of the floor or roof next above. A story is measured as the vertical distance between finished floor levels. A basement shall be considered a story when the finished floor level of the story above is more than a specified height above grade, as defined elsewhere in this code. An attic shall be considered a story if it contains habitable floor area meeting the height and occupancy requirements of this UDC.
- bb. **Street, Public or Private**
The portion of the right-of-way constructed for the purpose of conveying people, goods, and services via motor vehicle or bicycle.
- cc. **Street Classification**
The street system is classified into groups of facilities whose traffic purposes complement one another and can be thought of as a hierarchy of network relationships within the overall transportation system.
 - (i) **Major Arterial**
A street that provides for longer, direct trips on relatively straight paths.
 - (ii) **Minor Arterial**
A street typically found between major arterials that provides continuous paths to intermediate destinations and alternate routes for longer trips.
 - (iii) **Collector**
A street type that provides frequent interconnections between neighborhoods and allows local trips that mostly avoid the arterial network.
 - (iv) **Local Streets**
A street interconnected within neighborhoods that adjoin other neighborhoods.
 - (v) **Private Streets**
Streets that are not open to the general public.
- dd. **Street, Intersecting**
Any public right-of-way that joins another public right-of-way at an angle, whether or not it crosses the other.
- ee. **Structure**
 - (i) Anything constructed or erected other than a building, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground.
- ff. **Subdivision**
All divisions of a tract or parcel of land into 2 or more lots, sites, or parcels.
- gg. **Substantial Damage**
The damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before the damage occurred would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- hh. **Substantial Improvement**

Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before "start of construction" of the improvement. This includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

ii. Suburban Context Area

See, *Context Area*.

18. Terms T

a. Topping

A form of pruning that includes the severe cutting back of limbs between lateral branches to such a degree as to remove the normal canopy and disfigure the natural shape of the tree. Other terms to describe topping include de-horning, hat-racking, heading, lopping, pollarding, rejuvenating, rounding-over, tipping or stubbing.

b. Traffic Calming Devices

Traffic safety improvement devices for physically restricting vehicle movements and reducing vehicle speeds as identified in the City Policy on Traffic Control Management.

c. Transportation Center

A designated facility or complex that supports the integration of multiple modes of transport—such as buses, rail, bicycles, rideshare, and pedestrian pathways—designed to enhance connectivity, facilitate smooth transfers, and provide commuter amenities like waiting areas, ticketing, restrooms, or small-scale retail services.

d. Travel Trailer Park

Land or property which is used or intended to be used or rented for temporary occupancy by one or more travel trailers, recreational vehicles, or movable sleeping quarters of any kind.

e. Tree

A large, woody plant having one (1) or several self-supporting stems or trunks and numerous branches. May be classified as deciduous or evergreen.

f. Tree Canopy

The layers of leaves, branches, and stems of a tree, or trees, which obscure the ground directly below when viewed from above.

g. Tree Preservation

The act of planning and providing space for trees and treed areas so that they are not removed or damaged and are protected from being negatively impacted by human activity.

h. Tree Preservation Area(s)

The land area necessary for the conservation and protection of existing tree.

i. Tree Preservation Plan

A plan consisting of text, graphics, and tables that lists and details all of the trees that will be preserved during the development of a site and the techniques that will be used to keep the trees maintained after construction. A detailed listing of requirements for the tree preservation plan is included in the Edmond Tree and Landscape Guide.

j. Tree Protection Zone

The area around an existing tree that is protected and left undisturbed until construction is completed. The minimum distance required for tree protection zones is the width of the canopy plus an additional distance required to preserve a critical root area.

k. Tree, Existing

A tree that exists on the property prior to development that will be preserved, and whose root system will not be disturbed in any way within the area covered by the tree's canopy.

l. Truck Stop

An establishment engaged primarily in the fueling, servicing, repair, or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A truck stop may also include overnight accommodations, showers, or restaurant facilities primarily for the use of truck crews.

19. Terms U

a. Undeveloped Real Estate

Shall mean real estate unaltered by the construction or addition of any impervious surface that would change the hydrology of the property from its natural state.

b. Unit Prices

The bid price to install one measurable unit of a bid item as described in the bid schedule. Such measurable units may be expressed as "Each (EA)", "Lineal Feet (L.F.)", "Cubic Feet (C.F.)", "Square Yard (S.Y.)", "Lump Sum (L.S.)", etc.

c. Urban Context Area

See, *Context Area*.

d. Urban Forester

The City official designated by the City Manager to administer tree preservation and Urban Forest Replenishment Fund requirements.

e. Used Oil (or Used Motor Oil)

Any oil that has been refined from crude oil or a synthetic oil that as a result of use, storage, or handling has become unsuitable for its original purpose because of impurities or the loss of original properties, but may be suitable for further use and is recyclable in compliance with State and Federal law.

20. Terms V

a. Variance

(i) Zoning Variance or Landscape Variance

An adjustment to specific regulations of this UDC to a particular lot, building, tenant, or storefront, which, because of special conditions or circumstances, peculiar to the particular lot, building, tenant, or storefront, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other properties in the same vicinity and zoning district.

(ii) Drainage Variance

Is a grant of relief to a person from the requirements of this UDC when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this UDC. (For full requirements, see Section 60.6 of the National Flood Insurance Program regulations).

b. Vegetative Cover

Any grass, shrubs, trees and other vegetation that protects and stabilizes soils.

c. Violation

- (i) Any act, omission, use, structure, or condition that fails to comply with the provisions of this UDC, including any approved plans, permits, conditions of approval, or applicable regulations adopted under this code.
- (ii) The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required is presumed to be in violation until such time as that documentation is provided.

21. Terms W

a. Wastewater

Any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

b. Water Surface Elevation

Means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

c. Watercourse

Any lake, river, stream, creek, pond, or wetland.

d. Wrecker Service or Salvage Yard

An area outside of a building consisting of more than three acres where motor vehicles are disassembled, junked, wrecked or where motor vehicles not in operable condition are stored, which may include permanent machinery located on the property for wrecking vehicles.

22. Terms Y

a. Yards

(i) Yard, Excess

The area created when a building or structure is setback further from the property line than required by minimum setback standards.

(ii) Yard, Rear

The area of a site extending across the rear of a lot measured between side lot lines and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projections other than steps, unenclosed balconies or unenclosed porches.

(iii) Yard, Required

The area created by strict adherence to minimum setback standards.

(iv) Yard, Sensitive Border

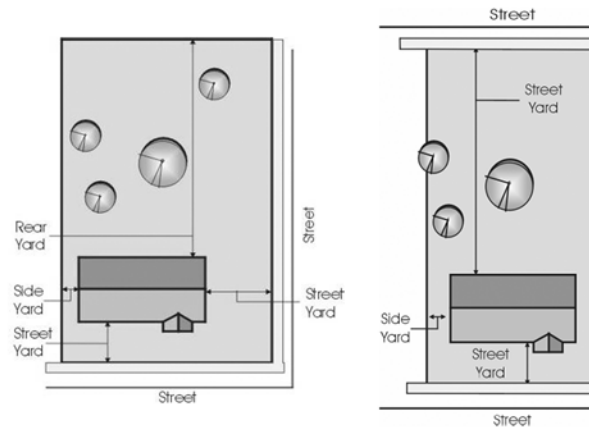
A rear or side yard on a nonresidential site that abuts a residential property.

(v) Yard, Side

A yard between the building and the side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the side of the main building or any projections other than steps.

(vi) Yard, Street

The area of a site formed by a line parallel to a street line, extending across the dimension of a site that is adjacent to a public right-of-way.



26.06.030. Land Use Terms**A. Residential Uses****1. Low-Density Living (1-4 Units)****a. Cottage Court**

A group of small, detached dwellings arranged around a shared court that is open to a street.

b. Duplex

Two attached dwellings designed to be occupied by separate families living independently of each other.

c. Manufactured Home

A dwelling unit constructed in accordance with federal manufactured housing construction and safety standards (HUD code) in effect after June 15, 1976, where the structure is transportable in one or more sections, and is built on a permanent chassis and designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, recreational vehicles, and other similar vehicles. Manufactured homes may be arranged as:

(i) A home on a single-lot; or

(ii) Manufactured Home Park

(a) Land or property which is used or intended to be used or rented for occupancy by one or more manufactured homes or a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

(b) A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

d. Mobile Home**Definition #1**

(i) A portable or mobile, factory-built living unit used or designed for single-family occupancy on a permanent basis that was manufactured prior to enactment of the federal Manufactured Housing Construction and Safety Standards Act of 1976 (42 U.S.C. Section 5401).

Definition #2

(ii) A portable or mobile living unit used for temporary human occupancy away from the place of residence of the occupants, and not constituting the principal place of residence of the occupants.

e. Modular Home

A dwelling unit constructed in sections (modules) in a factory setting then transported to the building site and assembled on a permanent foundation.

f. Single-Family Dwelling

A detached dwelling having open space on all sides, designed to be occupied by one family.

- g. Triplex
A building containing three individual dwellings.
- 2. Townhome
 - a. A single-family dwelling unit constructed in a group of 3 or more attached units in each unit extends from foundation to roof, and with a yard or public way on not less than 2 sides.
- 3. Fourplex
A single building containing four dwelling units.
- 4. High-Density Living (>4 Units)
 - a. Multi-Family Dwelling
A residential building with 5 or more dwelling units arranged, intended, and designed to be occupied by families living independently of each other.
- 5. Group Living
 - a. Convalescent/Rest or Nursing/Extended Care
A care-giving facility where persons are housed and furnished with meals and may receive continuing nursing care for compensation.
 - b. Rooming/Boarding House
A dwelling other than a hotel, not including a bed and breakfast, where, for compensation and by prearrangement for definite periods, meals or lodging and meals are provided for three or more but not exceeding 16 persons.
- 6. Residential Functional Uses
 - a. Accessory Dwelling Unit
A separate, complete dwelling unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to a single-family structure that is under the same ownership.
 - b. Home Occupation
An accessory use of a dwelling that shall constitute all or some portion of the livelihood of a person or persons living in the dwelling. The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling or adversely affect the uses permitted in the district of which it is a part.
 - c. In-Home Daycare
A family home where a full-time resident is licensed by the State of Oklahoma as a day-care provider.

B. Public and Civic Uses

- 1. Community Service
 - a. Library/Museum
An institution for the collection, display, and distribution of objects of art, science, or library sciences sponsored by a public or quasi-public agency that is open to the general public.
 - b. Public Facilities
Any facility, including but not limited to buildings, property, or infrastructure that are owned, leased, and/or otherwise operated by the municipal, county, state, or federal government.
- 2. Education Facilities
 - a. College/University

- Institutions of higher learning that offer courses of general or specialized study and are authorized to grant academic degrees. The college or university use subcategory includes classrooms and instructional spaces, as well as on-campus residence halls, fraternity and sorority houses, administrative buildings, auditoriums and other on-campus uses and facilities that provide customary accessory and support functions for college or university uses.
- b. School
Public and private schools at the primary, elementary, middle school or high school level that provide basic, compulsory education.
 - c. Technical School
Instructional activities conducted in an enclosed building that focus on teaching the skills needed to perform a particular skill or trade. Examples include schools of cosmetology, modeling academies, computer training facilities, vocational schools, administrative business training facilities and similar uses.
3. Medical Facilities/Life Care
- a. Clinic
A facility for the examination and treatment of ill and afflicted human outpatients; provided, however, that patients are not kept overnight except under emergency conditions, including but not limited to dental and doctor's offices.
 - b. Hospital
An institution providing health services, primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities and staff offices which are an integral part of the facilities.
4. Parks and Open Space
- a. Park
Recreational, social or multi-purpose uses associated with public parks and open spaces, including playgrounds, playfields, play courts, swimming pools, and other facilities typically associated with public parks and open space areas.
5. Afterlife Care
- a. Religious Land Use/ Place of Worship
A structure or group of structures intended for regular gatherings of people to attend, participate in or conduct religious services and other related activities and associated accessory uses. Associated accessory uses may include religious instruction classrooms, church offices, counseling programs, private school, youth programs, parking, child and adult day care facilities, and summer camps.
 - b. Cemetery
Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including mausoleums and mortuaries when operated in conjunction with and within the boundaries of such cemetery.
 - c. Crematorium
A location containing properly installed, certified apparatus intended for use in the act of human or animal cremation.
 - d. Funeral Services
An establishment used primarily for human funeral services, which may or may not include facilities on the premises for embalming and performing of autopsies or other surgical

procedures. Examples include funeral homes, mortuaries, crematoriums, or columbaria. Cemeteries may be on-site as an accessory use.

6. Public And Civic Functional Uses

a. Wireless Telecommunications

A facility used for wireless communications, usually consisting of a support structure for antennas, equipment shelters or cabinets, and/or other transmission and reception devices used for commercial and/or governmental purposes.

C. Commercial Uses

1. Entertainment And Recreation

a. Golf Course or Country Club

A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. This use may include a clubhouse, restrooms, driving range, swimming pool, tennis courts, and similar recreational or service facilities. Such use may be open to the public or to members only.

b. Indoor Entertainment and Amusement Venue

A place where entertainment activities occur completely within an enclosed structure for a fee, including but not limited to theaters, bowling alleys, arcades, skating rinks, escape rooms, dance halls, auditoria, wedding venues, pool halls and video parlors. This use also includes event spaces in which a building or portion of a building provides facilities for civic, educational, political, cultural, or social purposes, as well as the use of a building or lot by a not-for-profit organization that restricts access to its facility to dues-paying members and their occasional guests and where the primary activity is a service not carried on as a business enterprise.

c. Outdoor Entertainment and Amusement Venue

A place where entertainment activities occur outdoors for a fee, including but not limited to miniature golf, batting cages, water slides, driving ranges, and go-cart tracks. Such use may also include indoor entertainment and amusement.

d. Indoor Shooting Range

A business establishment, private club, or association that operates an area for the discharge or other use of firearms for silhouette, skeet, trap, black powder, target, self-defense, or similar recreational shooting.

2. Office and Professional Services

a. Financial Institution

An establishment where the primary occupation is financial services such as banking, savings, and loans. It does not include financial services that typically occur in an office or storefront, such as investment companies, loan companies, credit and mortgage, insurance services, or brokerage firms), which are classified under "Professional Office," below.

b. Professional Office

An office for professionals, such as lawyers, architects, financiers, engineers, artists, musicians, designers, teachers, accountants and others who, through training, are qualified to perform services of a professional nature and where no storage or sale of merchandise exists, except as accessory to the professional services. Professional Office uses are not Medical Offices or Artist Studios. Examples include corporate office, law offices, architectural firms, insurance companies and other executive, management or administrative offices for businesses and corporations.

- c. Recording/Production Studio

A facility that provides for audio or video production, recording or broadcasting for public or private reception.
- 3. Overnight Accommodations
 - a. Bed and Breakfast

An owner-occupied property, other than a hotel or multi-family dwelling, that offers lodging for paying guests and which serves meals to these guests and that contains one or more guest bedrooms and where facilities for food preparation are not provided in the individual guest bedrooms.
 - b. Campground

Facilities providing camping or parking areas and incidental services for travelers in cabins or tents, which accommodate each guest or visitor for no more than 14 consecutive days during any one-month period.
 - c. Hotel

A building or group of buildings under one ownership containing six or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who are lodged with or without meals for compensation, but not including an auto or manufactured home park or camp, hospital, asylum, orphanage or building where persons are housed under restraint.
 - d. Recreational Vehicle Park

A commercial use providing space and facilities for motor homes or other recreational vehicles for recreational use or transient lodging. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included.
- 4. Retail Sales and Service
 - a. Convenience Store

A retail store containing less than 5,000 square feet of gross floor area that sells everyday goods and services, which may include, without limitation, ready-to-eat food products, groceries, over-the-counter drugs, and sundries.
 - b. Fitness Center

An establishment that provides exercise facilities such as running, aerobics, weightlifting, indoor/outdoor sports courts, and swimming, as well as locker rooms, showers, and saunas. Uses would typically include racquetball and handball courts, tennis courts, weightlifting and exercise equipment facilities, exercise areas, swimming pools and spas, martial arts, classrooms and/or practice areas, gymnasiums and running or jogging tracks. This shall not include municipal or privately owned, restricted access recreation buildings.
 - c. Personal Services

Shops and establishments primarily engaged in providing services generally involving the care of the person or such person's apparel, or rendering services to business establishments such as laundry or dry-cleaning retail outlets, portrait/photographic studios, beauty or barber shops, hair and nail salons, tanning services, spas, tailors, dressmakers, shoe repair, picture framing shops, gunsmiths, locksmiths, vacuum repair shops, electronics repair shops and similar establishments. Businesses that offer repair and maintenance services for large equipment or technicians who visit customers' homes or places of business are classified as "building service."
 - d. Massage Therapy

- Any establishment engaged in the skillful treatment of the soft tissues of the human body. Massage is designed to promote general relaxation, improve movement, relieve somatic and muscular pain or dysfunction, stress and muscle tension, provide for general health enhancement, personal growth, education and the organization, balance and integration of the human body and includes but is not limited to: The use of touch, pressure, friction, stroking, gliding, percussion, kneading, movement, positioning, holding, range of motion and nonspecific stretching within the normal anatomical range of movement, and vibration by manual or mechanical means with or without the use of massage devices that mimic or enhance manual measures; and the external application of ice, heat and cold packs for thermal therapy, water, lubricants, abrasives and external application of herbal or topical preparations not classified as prescription drugs.
- e. Restaurant
An establishment where food and drink are prepared, sold to customers, and may be consumed on the premises.
 - f. Retail Store
Retail sales uses that sell or otherwise provide wearing apparel, fashion accessories, furniture, household appliances and similar consumer goods, large and small, functional and decorative, for use, entertainment, comfort or aesthetics.
 - g. Tavern/Bar
An establishment that sells and serves alcoholic beverages for on-site consumption as its principal business.
5. Animal Services
- a. Animal Boarding
A facility that provides overnight boarding or daycare services on-site. Such a facility does not include the sale of animals.
 - b. Animal Grooming or Veterinarian
An establishment that provides services for household pets or small domestic animals, limited to grooming, bathing, training, and/or medical care by a licensed veterinarian. Boarding of animals is incidental and temporary, occurring only in direct support of treatment, recovery, or grooming services, and shall not be operated as a primary or extended use.
6. Vehicle and Equipment Sales And Service
- a. Car Wash
A facility where the primary or secondary function is washing automobiles, pick-up trucks, and small vans, but not trailers or commercial trucks. This includes both mechanical production line methods or self-service equipment. A car wash may also function as an accessory use to an automobile service station or other principal use.
 - b. Heavy Auto Repair
An establishment that offers mechanical and bodywork on motor vehicles, including straightening of body parts, body repairs, battery rebuilding, painting, welding, short-term storage of automobiles not in operating condition, and outdoor similar work on motor vehicles that may involve noise, glare, fumes, smoke, or similar impacts. Locations servicing fleet vehicles are included in this definition.
 - c. Light Auto Repair
Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil, spark plug, and filter changing; tune-ups; emergency

road service; replacement of starters, alternators, hoses, brake parts; automobile washing and polishing; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air conditioning systems, and other similar minor services for light load vehicles.

d. Vehicle And Equipment Sale and Rental

An establishment that provides for the sale or rental of new or used automobiles, vans, trailers, motorcycles, motor homes, trucks, or recreational vehicles including recreational watercraft. This use also includes the sale or rental of large trucks, moving equipment, construction or agricultural equipment, or similar large vehicles and vehicular equipment. Typical examples include automobile and ATV dealerships, auto malls, car rental agencies, and farming and construction equipment dealers (e.g., John Deere).

7. Marijuana Uses

a. Medical Marijuana Waste Disposal Facility

An entity, consistent with Oklahoma Administrative Code 310: 681-1-4 and Title 63 Oklahoma Statutes Section 427.2 that has been licensed by the State of Oklahoma to render medical marijuana waste unusable and unrecognizable.

b. All Other Marijuana-Related Uses

Any marijuana-related business not elsewhere classified:

(i) Medical Marijuana Dispensary

Consistent with Oklahoma Administrative Code 310: 681-1-4 and Title 63 Oklahoma Statutes Section 427.2, a facility licensed by the State of Oklahoma to act as a retail entity for medical marijuana products.

(ii) Medical Marijuana Processor

Consistent with Oklahoma Administrative Code 310: 681-1-4 and Title 63 Oklahoma Statute Section 423.C and Section 427.2, a facility licensed by the State of Oklahoma to produce medical marijuana products.

(iii) Medical Marijuana Research Facility

A type of medical office and/or research or experimental laboratory, consistent with Oklahoma Administrative Code 310: 681-1-4 and Title 63 Oklahoma Statutes Section 427.2, that has been approved by the State of Oklahoma to conduct medical marijuana research.

(iv) Medical Marijuana Testing Laboratory

A type of medical office and/or research or experimental laboratory, consistent with Oklahoma Administrative Code 310: 681-1-4 and Title 63 Oklahoma Statutes Section 427.2 that has been licensed by the State of Oklahoma to conduct testing and research on medical marijuana.

(v) Medical Marijuana Commercial Grower

Consistent with Oklahoma Administrative Code 310:681-1-4 and Title 63 Oklahoma Statutes Section 427.2, a facility licensed by the State of Oklahoma for the cultivation, growing, harvesting, drying, and packaging of medical marijuana plants for distribution to licensed processors, dispensaries, or other authorized entities.

8. Care Facilities

a. Adult Care Center

A facility that provides care, supervision, and assistance with daily living activities for adults who do not require the continuous medical care of a hospital or skilled nursing facility.

Services may include meals, personal care, medication management, social or recreational activities, and protective oversight.

b. Child Care Facility

Any public or private child care residential facility, child-placing agency, foster family home, child care center, part-day program, day camp, drop-in program, program for sick children, family child care home, or large family child care home providing either full-time or part-time care for children away from their own homes.

9. Commercial Functional Uses

a. Alcohol Sales

The sale of alcoholic beverages to the public, which is regulated by Oklahoma Statutes Title 37-A.

b. Drive-In

Definition #1

- (i) A space or set of spaces in which motor vehicles may park and the occupants thereof use a speaker and microphone system to purchase products or services. Such use is commonly provided in conjunction with a restaurant. This use does not include parking lot spaces designated by signage or other means for pick-up which lack a speaker and microphone system.

Definition #2

- (ii) An accessory portion of a main building that is designed to accommodate a patron's automobile. It is intended that the patron will consume a product or receive a service in the automobile.

c. Drive-Thru

An accessory portion of a main building that provides a driveway and stacking spaces for vehicles to receive, but not consume a product or service.

d. Fuel Sales

The selling of fuel for vehicles. This includes fueling pumps with one or more nozzles or nozzle sets, which are separately connected to a distinct system that records the fuel pumped by a single vehicle and the corresponding payment owed for that fuel. Such use is commonly provided in conjunction with a convenience store or a grocery store.

e. Outdoor Storage

The keeping of materials, equipment, supplies, and merchandise external to a building that are not for sale and are not intended to be viewed by customers for purchase.

D. Industrial Uses

1. Light Industrial Service

a. Freight Terminal

Establishments primarily engaged in undertaking the transportation of goods and people for compensation, and which may, in turn, make use of other transportation establishments in effecting delivery. This definition includes parking lots for overnight truck storage and establishments such as commercial distribution services, freight forwarding services, and freight agencies.

b. Data Center

A facility housing a collection of computer servers and associated components, such as telecommunication, storage and backup systems, that supply information to single or multiple end users off-site. Data Centers will typically require large amounts of electricity,

strict temperature control and high security and will generally have few employees on-site at any given time. May also be referred to as a server farm.

c. Low-Intensity Industrial and Manufacturing

Manufacturing of products, from extracted, raw, recycled or secondary materials, including bulk storage and handling of those products and materials, or crushing, treating, washing, and/or processing of materials. This includes similar establishments and businesses of a similar and no more objectionable character. It also includes incidental finishing and storage. Goods or products manufactured or processed on-site may be sold at retail or wholesale on or off the premises. This does not include any activity listed under High-Intensity Industrial and Manufacturing. Examples of general manufacturing include the manufacture or production of apparel, boats and transportation equipment, communication or computation equipment, food/baking (including coffee roasting), fruit and vegetable processing and other products.

d. Self-Storage Facility

Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property.

e. Warehouse

Facilities characterized by extensive warehousing, frequent heavy trucking activity, or open or enclosed storage of industrial materials and equipment, which are not involved in manufacturing or production. This use includes an establishment primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

2. Artisan Industry

a. High-Intensity Artisan Manufacturing

The manufacturing and production of goods by a craftsperson using large machinery or conducted outside a building or indoor tenant space. This use typically includes but is not limited to machine work and cabinetry.

b. Low-Intensity Artisan Manufacturing

The manufacturing and production of goods by a craftsperson done by hand or small machinery, located within a building or indoor tenant space. This use typically includes but is not limited to craft breweries or distilleries, jewelry, metalwork, woodworking, stained glass, textiles, ceramics, or handmade food products for off-site consumption.

3. Heavy Industrial Uses

a. High-Intensity Industrial and Manufacturing

The manufacturing, processing, and storing of paper, chemicals, plastics, rubber, cosmetics, drugs, nonmetallic mineral products (such as concrete and concrete products, glass), primary metals, acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, electrical equipment, appliances, batteries, and machinery. This group also includes asphalt mixing plants, concrete mixing plants, smelting, animal slaughtering, tanneries, oil refining, and magazine-contained explosives facilities.

b. Nuclear Power Plant

Facilities that produce electrical power in part or in whole through controlled fission of radioactive chemical elements.

c. Salvage Yard

A place where waste, discarded, or salvage materials are bought, sold, exchanged, bailed, packed, disassembled, or handled, including all wrecking yards, used lumber yards, and places for storage of salvaged house-wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building.

d. Waste/Recycling Center

A facility used for the collection and/or processing of recyclable material and non-hazardous wastes taken from collection vehicles, temporarily stored, and ultimately relocated to a permanent disposal site. Processing means the preparation of material for efficient shipment by such means as baling, compacting, flattening, grinding, crushing, mechanical sorting or cleaning. This use includes any incinerator, private or public solid waste management facility, recovered materials processing facility, or sanitary landfill.

E. Agricultural Uses

1. Agriculture

a. Agricultural Operations

The use of land for the production of plants and animals useful to humans, including, to a variable extent, the preparation of these products for human use and their disposal by marketing or otherwise, and includes horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee, hatcheries, and any and all forms of farm products and farm production. This includes accessory uses for treating or storing farm products and equipment.

b. Agritainment

Events and activities that allow for recreation, entertainment, and tourism that is in conjunction with on-going agricultural activities on-site (examples include corn mazes, hayrides, rustic wedding venues, and petting zoos).

c. Commercial Stable

A facility where horses or other animals are kept, boarded, trained, bred, or used for riding, instruction, or recreation, and where such services are offered to individuals other than the property owner, whether for a fee or not. Accessory uses are permitted and include but are not limited to offices, storage areas, caretaker's quarters, educating and training in equitation, and caring for, breeding, or training horses associated with the stable use.

d. Feed and Farm Supply

An establishment for the selling of foodstuffs for animals and including implements and goods related to agricultural processes but not including farm machinery.

e. Feedlot

An area or facility primarily engaged in feeding animals. These animals are kept for the products they produce or for eventual sale. This includes Concentrated Animal Feeding Operations regulated by Oklahoma Statutes §2-20-40.

f. Sale Barn

A structure where agricultural goods or livestock are sold by auction.

g. Small Farm Winery

As defined in Title 37-A of Oklahoma Statutes, a wine-making establishment that does not annually produce for sale more than fifteen thousand (15,000) gallons of wine as reported on the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau, Report of Wine Premises Operations (TTB Form 5120.17).

Appendix A: Consolidated List of Development Fees

26.A.010. List of Fees

Table A.1: Consolidated List of Development Fees

Application	Fee
Zoning Map Amendment (Rezoning)	\$600
Site Plan	\$1200
Specific Use Permit	\$150
Temporary Use Permit	\$150
Planned Unit Development	\$1200
Variance	\$250 prior to any work being started on the variance requested
Mail Notice	\$75
Printed Notice	\$100
Posted Notice	Applicant's responsibility
Extension of Site Plan (no changes)	\$100 plus \$50 for notices
Changes to an Approved Site Plan	\$250 plus \$50 for notices
Preliminary Plat	\$500 includes mailed notice fee of \$50
Final Plat – Residential	\$1500*
Final Plat – Commercial	\$500
Deed Certification/Lot Split	\$100
GIS	\$90 per lot
Change in recorded plat	\$50 notice fee
Street Lights	Based on cost of fixture, materials, and labor as determined by Edmond Electric
Urban Forest Replenishment Unit Cost	\$75

This list is not to be considered as an all-inclusive or the exclusive list of fees for development.

*Includes reviews for paving and drainage, and 3 reviews total for water and sanitary sewer to ensure that review comments have been adequately addressed. If additional reviews are required, a fee of \$500 per submittal shall be assessed.