Planning and Zoning Ordinance of the City of Del City, Oklahoma

Appendix A to the Del City Code of Ordinances

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CITY OF DEL CITY MUNICIPAL CODE
APPENDIX A - PLANNING AND ZONING ORDINANCE

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CHAPTER 1
GENERAL PROVISIONS

SECTION A-101 CITATION

This Planning and Zoning Ordinance is pursuance of the authority granted by the Statutes of the State of Oklahoma shall be known as the City of Del City Planning and Zoning Ordinance and may be cited as such.

SECTION A-102 PURPOSES

The regulations contained herein are necessary to encourage the most appropriate uses of land; to maintain and stabilize the value of property; to reduce fire hazards and improve public safety and safeguard the public health; to decrease traffic congestion and its accompanying hazards, to prevent undue concentration of population; and to create a comprehensive and stable pattern of land uses upon which to plan for transportation, water supply, sewerage, schools, parks, public utilities, and other facilities. In interpreting and applying the provisions of this Planning and Zoning Ordinance, they shall beheld to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare.

SECTION A-103 NATURE AND APPLICATION

This Planning and Zoning Ordinance classifies and regulates the use of land, buildings, and structures within the City limits of the City of Del City, State of Oklahoma, as hereinafter set forth. The regulations contained herein are necessary to promote the health, safety, convenience, and welfare of the inhabitants by dividing the City into zones and regulating therein the use of the land and the use and size of buildings as to height and number of stories, the coverage of the land by buildings, the size of yards and open spaces, density of population and location of buildings, structures, and land for trade, industry, residence or other purpose.

SECTION A-104 SCOPE AND JURISDICTION

The interpretation and application of this Planning and Zoning shall apply to all areas within the corporate limits of the City of Del City. The use of all land and any buildings or structures located upon the land; and the construction, reconstruction, alteration, expansion, or relocation of any buildings or structures upon the land shall conform to all regulations applicable to the zone in which the land is located, except as otherwise provided in this Planning and Zoning Ordinance. Section A-113 of this Planning and Zoning Ordinance contains a list of definitions for some of the words and phrases used in this Planning and Zoning Ordinance. Additional definitions are sometimes included in the certain Sections of this Planning and Zoning Ordinance where those words or phrases are used.

SECTION A-105 VALIDITY OF OTHER LAWS

Where this Planning and Zoning Ordinance imposes greater restrictions than are imposed by other Planning and Zoning Ordinances, laws or regulations, the provisions of this Planning and Zoning Ordinance shall govern. However, nothing in this Planning and Zoning Ordinance shall be construed to prevent the enforcement of other Planning and Zoning Ordinances, laws, or regulations which prescribe more restrictive limitations; further, this Planning and Zoning Ordinance shall not be construed to prevent the enforcement of plat restrictions, deed restrictions, and declarations of covenants and

restrictions by private parties which may be more restrictive than the provisions of this Planning and Zoning Ordinance.

SECTION A-106 SEVERABILITY

In the event any portion of this Planning and Zoning Ordinance shall be ruled invalid or unconstitutional, as declared by a court of competent jurisdiction, the remainder of this Planning and Zoning Ordinance shall not thereby be invalidated but shall remain in full force and in effect.

SECTION A-107 ANNEXATION

Any territory brought into the zoning jurisdiction of the City of Del City, by annexation or otherwise, shall be deemed to be in the Urban Reserve District (U-R) unless otherwise specified by the City Council in the Annexation Ordinance.

SECTION A-108 EFFECT ON PUBLIC LANDS

All property owned, leased, or operated by the City of Del City, or any other public or governmental body or agency within the zoning jurisdiction, shall be subject to the terms of this Planning and Zoning Ordinance.

SECTION A-109 EFFECT ON ESTABLISHED DISTRICT CLASSIFICATIONS

This Planning and Zoning Ordinance both creates new zoning districts and consolidates existing districts. All Properties formerly designated by the old nomenclature on the Official Zoning Districts Map shall hence forth be re-designated to conform to the new nomenclature of this Planning and Zoning Ordinance; provided that they shall be identified as having the previous zoning status for purposes of determining the right to the former uses permitted in the district as described in the following paragraph.

Any property classified in a Zoning District under the provisions of the former Zoning Ordinance shall retain the right to all uses permitted in the District under that Ordinance, whether the property has been developed or not. This allowance of uses previously permitted shall extend for two years after the date of adoption of this Planning and Zoning Ordinance, however, all properties henceforth reclassified to another Zoning District under the provisions of this Planning and Zoning Ordinance shall be subject to both the Zoning District Use and Development Regulations of the applicable Zoning Districts in this Planning and Zoning Ordinance.

SECTION A-110 EFFECT ON DEVELOPMENT REGULATIONS

The only subject which is to be carried forward from the previous Zoning Ordinance is related to the designation of properties into districts. The development and construction regulations contained in this Planning and Zoning Ordinance shall henceforth apply uniformly to all property within the corporate limits of the City of Del City regardless of the date of that property being established in a particular Zoning District classification.

SECTION A-111 FINAL PLATS, SITE PLANS, AND DEVELOPMENT PLANS PREVIOUSLY APPROVED

All final plat applications and all site development plans submitted prior to the effective date of this Planning and Zoning Ordinance shall remain valid and subject to those provisions in effect at the time of the submittal or approval.

SECTION A-112 COMPLETION OF APPROVED BUILDINGS

Nothing herein shall require any change in the plans, construction or designated use of a building or structure for which a building permit has been issued prior to the effective date of this Planning and Zoning Ordinance, or an amendment to this Planning and Zoning Ordinance, if the actual construction of said building or structure is in accordance with those provisions in effect at the time the permit was issued.

SECTION A-113 DEFINITIONS

The following words and phrases when used in this Planning and Zoning Ordinance, shall for the purposes of this Planning and Zoning Ordinance, have the meanings respectively ascribed to them in this Section, except where the context otherwise requires:

1. **"Alley"** means a minor right-of-way dedicated to public use, which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes;

2. **"Abutting un-platted property"** means land which is not within the legal description of a subdivision plat on file in the office of the County Clerk (and which is not within the plat proposed by the subdivision under consideration) and which property may, in the future, be subdivided and may feasibly be served by the off-site improvements constructed for the proposed subdivision;

3. **"Bicycle lane"** means that portion of a roadway set aside and appropriately designated for the use of bicycles;

4. **"Bicycle path"** means a paved facility physically separating the bicycle from motor vehicle traffic;

5. **"Block"** means a parcel of land, intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks or green strips, rural land or drainage channels or a combination thereof;

6. **"Building line"** means a line or lines designating the area outside of which buildings may not be erected;

7. **"Development"** means the erection or construction of buildings; or the erection or construction of any additions to existing buildings where outer walls are added or altered as to location, but not including alterations or remodeling of buildings where the outer walls are not added or altered as to location;

8. **"Community Services Director"** shall be the person designated by the City Manager to enforce the Planning and Zoning Ordinance of the City of Del City, and may be a City

Employee or a member of the Planning Commission.

9. **"Easement"** means a grant by the property owner to the public, a corporation or persons, of the use of an area of land for specific purposes;

10. **"General Plan"** means the comprehensive development plan for the City which may be officially adopted to provide long-range development policies for the area subject to urbanization in the foreseeable future and which includes, among other things, the plan for land use, land subdivision, traffic circulation and community facilities, utilities and drainage facilities;

11. **"Kennel"** means any location where five (5) or more animals beyond the age of six (6) months are kept, harbored, boarded, sheltered, or bred.

12. **"Landscaped area"** means the portion or portions of a lot which are devoid of any structural or paving improvements, containing landscaping improvements as required and regulated by this Planning and Zoning Ordinance.

13. **"Lot"** means a subdivision of a block or other parcel intended as a unit for the transfer of ownership or for development;

14. **"Lot, corner"** means a lot located at the intersection of and abutting on two (2) or more streets;

15. **"Lot, depth"** means the average distance from the street line of the lot to its rear line, measured in the general direction of the lines of the lot;

16. **"Lot, double frontage"** means a lot which runs through a block from street to street and which has frontage on two (2) or more streets, but not including a corner lot;

17. **"Lot, reverse frontage"** means a corner lot of such size and shape that a building erected on it might logically be designed to face on either adjoining street, thus causing the building to rear on the side line of any abutting lot;

18. **"Lot, townhouse"** means a lot shown on a townhouse plat and intended as the site of a single attached dwelling unit;

19. **"Lot line adjustment"** means a relocation of the lot lines of two (2) or more lots included in a plat which is filed of record, for the purpose of making necessary adjustments to building sites;

20. **"Off-site improvements"** means any utility, structure or modification of topography which is, or will be, located within, under or over a right-of-way or easement of record and which is, or will be, owned and/or maintained by other than the individual owner(s) of developed real estate;

21. **"Planning Commission"** means the Planning Commission of the City of Del City;

22. **"Plat, final"** means a map of a land subdivision giving, in form suitable for filing in the office of the County Clerk, necessary affidavits, dedications and acceptances, and delineating the layout of such subdivision as required herein;

23. **"Plat, preliminary"** means a map of a proposed subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the relationship of the proposed development to topography, existing streets, drainage facilities and utilities, existing urban development and zoning, and to indicate the nature of the land planning design;

24. **"Reserve strip"** means a strip of land located adjacent to a public easement or right-of-way which has the effect of denying access to adjacent property owners to the public easement or right-of-way;

25. **"Rural and suburban area"** means all that part of the incorporated area of the City of Del City which is not classified on the Del City General Plan for urbanization;

26. **"Setback line"** means a line or lines designating the outer limits of street and highway right-of-way requirements;

27. **"Site development plan"** means a plan drawn at a scale of not less than fifty (50) feet equal one inch which shows the topographic characteristics of the site at a contour interval of not less than two (2) feet; the location and dimensions of buildings, yards, courts, landscape, pedestrian and vehicular circulation and parking, fences and screening; service areas and service courts and other features; the use of each building and area; the height of buildings; adjacent streets, alleys, utility, drainage and other easements; and the relationship of the development to adjacent areas which it may affect;

28. **"Street"** means any public or private right-of-way which affords the primary means of access to abutting property;

29. **"Street, collector"** means a minor street collecting traffic from other minor streets and serving as the most direct route to a major street or community facility;

30. **“Street, cul-de-sac"** means a local street having one end closed and terminated by a turn-around;

31. **"Street, frontage or service"** means a minor street located adjacent and parallel to a major street for land service to abutting properties and access to adjacent areas and for allowing control of access to the major street;

32. **"Street, local"** means a minor street which collects and distributes traffic between parcels of land and collector or arterial street, with the principal purpose to provide access to abutting property;

33. **"Street, major"** means a freeway, primary arterial or secondary arterial designated on the General Plan for Del City.

34. **"Street, minor"** means any street other than one designated as a freeway, primary arterial, or secondary arterial designated on the General Plan for Del City, but not including alleys;

35. **"Street, public"** means any preexisting county road heretofore annexed by the City and

which forms a part of the City by reason of such annexation, or any street or road granted or dedicated to the City and accepted by the City;

36. **"Sub divider (developer)"** means any person or persons who propose to subdivide or develop land within the limits of the City and, if the person or persons include a corporation, then "sub divider" shall include each of the individual stockholders of the corporation and each of the principal officers and manager of the corporation;

37. **"Subdivision"** means the division, re-division or delineation of land by lots, tracts, sites or parcels for the purpose of transfer of ownership, or for urban development, or for the dedication or vacation of a public or private right-of-way or easement;

38. **"Townhouse"** means one of a series of two (2) or more attached dwelling units, separated from one another by continuous, vertical party walls without openings from basement floor to the roof deck and tight against same or through the roof and which are intended to have ownership transferred in conjunction with a platted lot;

39. **"Urban area"** means all that part of the incorporated are of the City of Del City which is designated on the Del City General Plan for urbanization, including any subdivision with a density greater than one house for each two (2) acres;

40. **"Way"** means any street, avenue, parkway, highway, boulevard, rood, alley, bicycle path or pedestrian walkway reserved and/or dedicated for public or private use chiefly by vehicular or pedestrian traffic. Its width shall be established as the shortest horizontal distance measured between lines delineating the right-of-way.

41. **"Value"** or **"True Value"** means the appraised value determined by the Oklahoma County Assessor for the Building or Buildings constructed on a tract or lot.

SECTION A-114 MAINTENANCE OF THE PLANNING AND ZONING ORDINANCE

City Staff, as designated by the Planning Commission, are authorized to edit and update this Planning and Zoning Ordinance, providing that such editing and updating is solely clerical in nature and does not change or alter the application of the regulations contained herein. This editing and updating may include, but is not limited to: correction of typographical errors, inclusion of amendments, and renumbering of sections and lists.

This ordinance may be codified and presented in an alternate format, whether by City staff of designated contractor.

This ordinance may be published by the City or its designated contractor and distributed in accordance with state law and city policy regarding availability of records.

CHAPTER 2
ZONING DISTRICT AUTHORIZATION

SECTION A-201 ZONING DISTRICTS

Zoning Districts as set forth are hereby established.

District Symbol	Prior District	District Name
A-1	(R-E)	Agricultural Reserve
U-R		Urban Reserve
R-1-D	(R-1)	Single Family Detached Residential
R-1-A		Single Family Attached Residential
R-1-LH		Single Family Large Home Residential
R-2	(R-2)	Two Family Residential
R-3	(RM-1)	Medium Density Residential
R-4	(RM-2)	High Density Residential
R-MH-1		Mobile Home Subdivision
R-MH-2	(RMH)	Mobile Home Park
O-C	(O-C)	General Office
N-C	(C-C)	Neighborhood Commercial
H-C	(C-1)	Interstate Highway Commercial
A-C	(C-2)	Arterial Commercial
I-1	(I-1)	Light and Moderate Industrial
I-2	(I-2)	Heavy Industrial
PUD	(PUD)	Planned Unit Development
SPUD	(SPUD)	Special Planned Unit Development

The location and boundaries of the various districts as defined herein shall be established by the Planning and Zoning Ordinance and shall be shown and delineated on the Official Zoning Districts Map of the City of Del City. The Official Zoning Districts Map shall be maintained by the Community Services Director. The Official Map may be divided into parts or sections. Said parts or sections may be separately maintained for identification purposes when adopting or amending the Official Zoning Districts Map or for any reference to the Official Zoning Districts Map.

SECTION A-202 EFFECT OF ZONING DISTRICT CHANGE

The reclassification of property to a new Zoning District shall be an amendment of the Official Zoning Districts Map and shall be so recorded.

SECTION A-203 DELINEATION OF ZONING DISTRICT BOUNDARIES

A. Zoning District boundary lines shall be established by government or rectangular survey metes and bounds description or the legal description of a lot contained in a plat of record.

B. Where a property abuts a public or private street, the District boundary shall be considered to extend to the centerline of said right-of-way, whether or not the legal description of the adopted Planning and Zoning Ordinance of Rezoning includes said street.

C. For purposes of applying the Development Regulations of an individual Zoning District, all such requirements shall be calculated from the appropriate right-of-way line delineating a street.

SECTION A-204 INTERPRETATION OF DISTRICT BOUNDARIES

When uncertainty exists as to the boundaries of the districts on the Official Zoning Districts Map, the following rules apply:

A. Boundaries indicated as approximately following the centerlines of streets or highways, shall be construed to follow such centerlines;

B. Boundaries indicated approximately following platted lot lines shall be construed as following such lot lines;

C. Boundaries indicated as approximately following City limits shall be construed as following such City limits;

D. Boundaries indicated as following railroad lines shall be construed to the midway between the main tracks;

E. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore lines, shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, lakes, or other bodies of water shall be construed to follow such center lines;

F. Boundaries indicated as parallel to or extension of features indicated in Subsections A. through F. of this Section, shall be so construed. Distances not specifically indicated on the Official Zoning Districts Map shall be determined by the scaling from the map.

G. Where physical features existing on the ground are at variance with those shown on the Official Zoning Districts Map, or in other circumstances not covered by Subsections A. through F. of this Section, the Planning Commission shall interpret the district boundaries.

H. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Planning and Zoning Ordinance, the Board of Adjustment upon application and public hearing, may permit as a variance the extension of the regulations for either portion of the lot, not to exceed fifty (50) feet beyond the district line into the remaining portion of the lot.

SECTION A-205 ACCRETION BY VACATION OF PUBLIC EASEMENTS

Whenever any street or other public easement is vacated, the district classification of the property to which the vacated portion of land accrues shall become the classification of the vacated land.

CHAPTER 3
USE UNIT CLASSIFICATIONS

SECTION A-301 GENERAL PROVISIONS

The purpose of this Section is to create Use Unit Classifications. A Use Unit Classification is a group of related individual uses having similar functions, products, or performances which provides a basis for their systematic assignment to specific zoning districts in accordance with criteria directly relevant to the health, safety, and public welfare of the citizens of the City of Del City.

SECTION A-302 DETERMINATION

In event of any questions as to the appropriate use classification of any existing or proposed use or activity, the Community Services Director shall have the authority to determine the appropriate classification, subject to the right of appeal to the Planning Commission at the next regular meeting or a special meeting. In making the determinations, the Community Services Director shall consider the characteristics of the particular use in question, and shall consider any functional, product, service, or physical facility requirements common with or similar to uses cited as examples of use classification. The Community Services Director shall maintain a list of all such determinations, and shall periodically recommend to the Planning Commission additions, deletions, or revisions to the use clarifications to reflect contemporary usage and terminology. A use, if specifically listed in the Use Unit Classification, shall not by interpretation be included as a typical use within any other classification unless so listed.

SECTION A-303 APPLICATION

Use units shall be applied to the uses permitted and special use permit categories of this Planning and Zoning Ordinance for the purpose of determining which land uses are eligible in each Zoning District.

SECTION A-304 INDEX

All land uses are hereby classified under the Use Units contained in the following index. Refer to the appropriate Section for a detailed description of each unit use.

CODE SECTION	UNIT USE TITLE
	RESIDENTIAL USE UNIT CLASSIFICATIONS
SECTION A-304.1	SINGLE FAMILY DETACHED RESIDENTIAL
SECTION A-304.2	TWO-FAMILY ATTACHED RESIDENTIAL
SECTION A-304.3	TOWNHOUSE
SECTION A-304.4	MULTIFAMILY RESIDENTIAL
SECTION A-304.5	MOBILE HOME RESIDENTIAL
SECTION A-304.6	GROUP RESIDENTIAL
SECTION A-304.7	HOME OCCUPATION
SECTION A-304.8	SINGLE FAMILY LARGE HOME RESIDENTIAL
	PUBLIC AND QUASI-PUBLIC USE UNIT CLASSIFICATIONS
SECTION A-304.9	PUBLIC SERVICE OR UTILITY: LIGHT
SECTION A-304.10	PUBLIC SERVICE OR UTILITY: MODERATE
SECTION A-304.11	PUBLIC SERVICE OR UTILITY: HEAVY
SECTION A-304.12	RESERVED
SECTION A-304.13	LOW IMPACT INSTITUTIONAL
SECTION A-304.14	MODERATE IMPACT INSTITUTIONAL
SECTION A-304.15	HIGH IMPACT INSTITUTIONAL
SECTION A-304.16	CULTURAL EXHIBITS
SECTION A-304.17	LIBRARY SERVICES AND COMMUNITY CENTERS
SECTION A-304.18	COMMUNITY RECREATION: RESTRICTED
SECTION A-304.19	COMMUNITY RECREATION: GENERAL
SECTION A-304.20	COMMUNITY RECREATION: PROPERTY OWNERS ASSOCIATION

CODE SECTION	UNIT USE TITLE
	COMMERCIAL USE UNIT CLASSIFICATIONS
SECTION A-304.21	ADMINISTRATIVE AND PROFESSIONAL OFFICE
SECTION A-304.22	ADULT DAY CARE CENTERS
SECTION A-304.23	ADULT ENTERTAINMENT / RETAIL-RENTAL
SECTION A-304.24	AGRICULTURAL SUPPLIES AND SERVICES
SECTION A-304.25	ALCOHOLIC BEVERAGE RETAIL SALES
SECTION A-304.26	ANIMAL SALES AND SERVICES: AUCTIONING
SECTION A-304.27	ANIMAL SALES AND SERVICES: GROOMING AND SALES
SECTION A-304.28	ANIMAL SALES AND SERVICES: HORSE STABLE
SECTION A-304.29	ANIMAL SALES AND SERVICES: KENNELS AND VETERINARY,RESTRICTED
SECTION A-304.30	ANIMAL SALES AND SERVICES: KENNELS AND VETERINARY, GENERAL
SECTION A-304.31	AUTOMOTIVE AND EQUIPMENT: LIGHT
SECTION A-304.32	AUTOMOTIVE AND EQUIPMENT: HEAVY
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RESIDENTIAL USE UNIT CLASSIFICATIONS

Residential use unit classifications include the occupancy of living accommodations on a non-transient basis and shall specifically exclude those providing 24-hour hospital care and those providing forced residence, including detention and correction facilities. Use Units included are as follows:

SECTION A-304.1 SINGLE FAMILY DETACHED RESIDENTIAL

A building designed for occupancy by one family. It is located unattached to any other dwelling unit on a lot or building site that is unoccupied by any other dwelling unit or main building.

SECTION A-304.2 TWO FAMILY ATTACHED RESIDENTIAL

A building designed for occupancy by two families living independently of each other. The two units are placed adjacent to one another, with structural parts touching. Typical uses include duplexes, in which two units are located on one lot; or two family dwellings, where each unit is located on a separate lot.

SECTION A-304.3 TOWNHOUSE

A building designed for occupancy by three or more families living independently of each other. The three or more units are placed adjacent to one another, with structural parts touching. Each of the units, however, are located on a separate lot.

SECTION A-304.4 MULTIFAMILY RESIDENTIAL

A building designed for occupancy by three or more families living independently of each other. All of the units, however, are located on one lot under one-ownership. Typical uses would include apartments or condominiums where only the units have been sold.

SECTION A-304.5 MOBILE HOME RESIDENTIAL

A manufactured, detached, transportable single family dwelling unit which is built on a permanent chassis is designed for long term occupancy and arrives at the site where it is to be occupied as a complete dwelling unit. It contains all conveniences and facilities, including plumbing and electrical connections which can be attached to approved utility systems. A typical use is a detached mobile home dwelling.

SECTION A-304.6 GROUP RESIDENTIAL

The residential occupancy of living units by a number of occupants not constituting a family or otherwise related but occupying the structure on a non-transient basis. Typical uses include occupancy of fraternity or sorority houses, dormitories, boarding houses, lodging houses, convalescent homes, homes for the elderly and orphanages.

SECTION A-304.7 HOME OCCUPATION

An occupation conducted entirely within a dwelling unit, by the occupants thereof, which is clearly incidental and secondary to the use of the dwelling for residential purposes. A special use permit is required for this use in the zoning districts where this use is allowed. See Section A-464 of this Planning and Zoning Ordinance for additional conditions applicable to a home occupation.

SECTION A-304.8 SINGLE FAMILY LARGE HOME RESIDENTIAL

Occupancy of a dwelling by one family that meets certain design criteria specified in Chapter 4 of this ordinance. The dwelling is unattached to any other dwelling unit on the lot or building site that is unoccupied to any other dwelling unit or main building. This use is intended to specify occupancy of a home of a very high quality of design and construction and that is located on a larger than normal lot in a subdivision or grouping of homes that are designed to very high quality standards for aesthetics and livability.

PUBLIC AND QUASI-PUBLIC USE UNIT CLASSIFICATIONS

Public and quasi-public classifications include the performance of utility, educational, religious, recreational, cultural, medical, governmental and other uses which are strongly vested with public or social importance.

SECTION A-304.9 PUBLIC SERVICE OR UTILITY: LIGHT

Public services needing locations near the area to be served but not requiring incidental storage of equipment or vehicles. These uses have minimal land needs and no negative impact upon surrounding land uses. Typical uses include direction, warning, safety, historical and informational signs, elevated water tanks; water or sewage pumping station, storm water control facilities; bus and transit stops; utility facilities, pressure control stations for gas or liquid pipelines, excluding storage or service garages.

SECTION A-304.10 PUBLIC SERVICE OR UTILITY: MODERATE

Public services involving direct citizen contact as well a incidental storage and maintenance of necessary equipment or vehicles including public protection or essential utility services. Said services may have technical and location requirements necessitating proximity to the area serviced but should have a minor impact on surrounding uses. Typical uses include ambulance service; fire protection facilities; public and quasi-public maintenance facilities; civil defense shelters and facilities; electric transmission station.

SECTION A-304.11 PUBLIC SERVICE OR UTILITY: HEAVY

Public services and utilities which may have a substantial impact due to attendant hazards, nuisance characteristics, traffic generation characteristics, or maintenance and operational characteristics. Typical uses include sewage disposal facilities; water treatment plants, water storage reservoirs; refuse transmission stations; and solid waste disposal facilities, excluding sanitary landfills.

SECTION A-304.12 RESERVED

SECTION A-304.13 LOW IMPACT INSTITUTIONAL

Quasi-public or private activities, which may have minor impact on surrounding uses, and are occupied on an intermittent basis. Such uses are necessary to serve common functions within a residential area, and are not designed to provide lodging. Typical uses include elementary schools and churches.

SECTION A-304.14 MODERATE IMPACT INSTITUTIONAL

Quasi-public and private institutional activities which may have significant impact on surrounding uses. Typical uses include fraternal organizations, middle schools, high schools, and vocational schools.

SECTION A-304.15 HIGH IMPACT INSTITUTIONAL

Quasi-public or private activities which due to their area requirements, traffic generation, light or noise generation, or the nature of intended activities, have the potential for major impact on surrounding land uses. Typical uses include hospitals, colleges, universities, and military installations; or drug abuse centers, halfway houses, forced detention or correction facilities, work release facilities, and temporary shelter or care facilities.

SECTION A-304.16 CULTURAL EXHIBITS

Museum-like preservation and exhibition of objects of artistic, cultural, scientific interest, and gallery exhibition of works of art for study and pleasure. Typical uses include aquariums; art galleries; museums; planetariums; and observatories.

SECTION A-304.17 LIBRARY SERVICES AND COMMUNITY CENTERS

Uses that directly serve a residential neighborhood or a cluster of neighborhoods and provide a gathering and collection site for residents to meet, read, study, and partake of book collection, manuscripts and lessons.

SECTION A-304.18 COMMUNITY RECREATION: RESTRICTED

Recreational, social and multipurpose uses that operate during daylight hours and generally are available for public use. Typical uses include golf courses with accessory clubhouses and buildings; and unlighted swim centers, tennis courts, playgrounds, playfields and public parks.

SECTION A-304.19 COMMUNITY RECREATION: GENERAL

Recreational, social or multipurpose open or enclosed uses and accessory buildings, which have no fixed seats, and occupancy limited to fifty (50) persons. Typical uses include golf courses; clubhouses; swim centers; tennis centers; playgrounds; playfields; country clubs; and public parks. Any use which has outdoor lights for illuminating night time activities shall be included in this use unit.

SECTION A-304.20 COMMUNITY RECREATION: PROPERTY OWNERS ASSOCIATION

Private recreational, social, and multipurpose uses within a subdivision that are operated and maintained by property owners' association for the benefit and enjoyment of its members. These uses are planned as an integral part of the development. The areas are designated on the subdivision play as "common areas", and rules for their operation and maintenance are included in the Declaration of Covenants and Restrictions of the subdivision and the By-laws of the property owners association. Typical uses include clubhouses, tennis courts, playgrounds, and swimming pools, either lighted or unlighted.

COMMERCIAL USE UNIT CLASSIFICATIONS

Commercial use unit classifications include the distribution, sale or rental of goods; and the provision of services other than those classified as civic uses.

SECTION A-304.21 ADMINISTRATIVE AND PROFESSIONAL OFFICE

Offices of firms or organizations providing professional and executive management or administrative services. Typical uses include advertising agencies, law offices, real estate offices, architectural and engineering offices, financial institutions, and corporate offices.

SECTION A-304.22 ADULT DAY CARE CENTERS

Establishments engaged in providing basic day care services to unrelated impaired adults, whether freestanding or part of a larger organization. Typical uses include adult day care centers. Excluded are retirement centers, senior centers, hospitals and hospice facilities.

SECTION A-304.23 ADULT ENTERTAINMENT / RETAIL-RENTAL

Establishments engaged in the sales or rental of movies, CDs, DVDs, toys, tools of an adult sexual nature, or exotic dance for the entertainment of others. Typical uses include adult sex shop, adult movie rental and strip bar.

SECTION A-304.24 AGRICULTURAL SUPPLIES AND SERVICES

Establishments or places of business primarily engaged in the retail or wholesale sales from the premises of feed, grain, fertilizer, pesticides and similar goods as well as the provision of agriculturally related services with incidental storage on lots other than where the service in rendered. Typical uses include feed and grain stores, crop dusting supply stores, and tree service firms.

SECTION A-304.25 ALCOHOLIC BEVERAGE RETAIL SALES

Establishments or places of business primarily engaged in the retail sale of beverages for home consumption, including alcoholic beverages. Typical uses include liquor stores and beer stores.

SECTION A-304.26 ANIMAL SALES AND SERVICES: AUCTIONING

Auctioning of livestock on a wholesale or retail basis with incidental on-site storage of animals on a temporary basis not to exceed 48-hour periods. Typical uses include animal auctions or livestock auctions or livestock auction yards.

SECTION A-304.27 ANIMAL SALES AND SERVICES: GROOMING AND SALES

Grooming of dogs, cats, and small animals. Typical uses include dog bathing and clipping salons, pet grooming shops or pet shops. No medical, training, or boarding services are provided.

SECTION A-304.28 ANIMAL SALES AND SERVICES: HORSE STABLES

Boarding, breeding or raising of horses not owned by the occupants of the premises or riding of horses by other than the occupants of the premises. Typical uses include boarding stables or public stables.

SECTION A-304.29 ANIMAL SALES AND SERVICES: KENNELS AND VETERINARY, RESTRICTED

Kennel and veterinary services for small domestic animals, such as dogs, cats, or other household pets, with all operations and storage conducted within an enclosed building. Typical uses include animal or veterinary hospital, boarding and breeding kennels, pet motels, and animal training centers.

SECTION A-304.30 ANIMAL SALES AND SERVICES: KENNELS AND VETERINARY, GENERAL

Kennel and veterinary services for domestic animals, with incidental outdoor storage and runs permitted. Typical uses include animal and veterinary hospitals, boarding or pet motel, breeding kennels, and animal training.

SECTION A-304.31 AUTOMOTIVE AND EQUIPMENT: LIGHT

Establishments or places of business engaged in the washing, polishing and light repairing of automobiles; and the sale, installation and servicing of automobile equipment and parts, but excluding auto parts supply stores, automobile sales, body repairs and painting, and engine and transmission rebuilding. Typical uses include automated car washes; utilities for manual washing, and light repairing of automobiles, such as muffler shops, tune-up shops, auto glass shops, tire stores, brake repair shops, engine repair shops, or transmission repair shops.(No body shops and No engine or transmission rebuilding shops.)

SECTION A-304.32 AUTOMOTIVE AND EQUIPMENT: HEAVY

Repair of motor vehicles such as aircraft, boats, recreational vehicles and trucks, as well as the sale, installation and servicing of automotive equipment and parts together with body repairs and painting and steam cleaning. Typical uses include engine replacement or rebuilding operations, transmission replacement or rebuilding shops, automobile or truck body shops or motor freight maintenance facilities, and wrecking services which include temporary storage of damaged vehicles.

SECTION A-304.33 AUTOMOTIVE AND EQUIPMENT: STORAGE

Storage of vehicles used regularly in business operations and not available for sale or long term storage, and facilities or structures for the storage of non-operational motor vehicles. Typical uses include new car dealer's off-site auto storage lots, taxi fleets, truck storage facilities or yards, auto storage garages, and tow away or impound yards but excluding junk or salvage yards.

SECTION A-304.34 AUTOMOTIVE SALES AND RENTALS: LIGHT

Sale or rental from the premises of automobiles and light panel trucks, boats, trailers, or delivery vehicles - together or independently together - with incidental maintenance, including paint and body repair facilities which are a part of the agency. Typical uses are a new and used automobile dealership with showroom, sales lot, and service facility.

SECTION A-304.35 AUTOMOTIVE SALES AND RENTALS: HEAVY

Sales and rental from the premises of heavy farm or construction equipment, trucks, buses, aircraft, or similar heavy mobile equipment, together with incidental maintenance.

SECTION A-304.36 BODY PIERCING AND TATTOO FACILITIES

Establishments engaged in performing procedures for body piercing and tattooing. Typical uses include body piercing and tattoo shops.

SECTION A-304.37 BUILDING MAINTENANCE SERVICES

Establishments or places of business primarily engaged in the sale, rental or repair of equipment and supplies used by office, professional and service establishments primarily to other firms, rather than to individuals, but excluding automotive, construction, petroleum and farm equipment. Typical uses include office equipment and supply firms; janitorial services; disinfecting and exterminating services; vending machines sales and services; and window cleaning services.

SECTION A-304.38 BUSINESS SUPPORT SERVICES

Establishments primarily engaged in the provision of services of a clerical, employment, protective or minor processing nature and where the storage of goods or equipment other than as samples or as necessary for daily operation is prohibited. Typical uses include secretarial services; telephone answering services; security services; blue print services; reproduction services; detective and protective services; and employment services.

SECTION A-304.39 CHECK CASHING AND PAYDAY LOAN ESTABLISHMENTS

Establishments or places of business other than banks, thrifts and other regulated depositary institutions that are primarily engaged in cashing checks, bank drafts or similar instruments for a fee and/or that are primarily engaged in making unsecured, post-dated check, and/or short-term loans. Typical uses are check cashing businesses and payday loan businesses. Retail stores providing check cashing services to customers are excluded provided that the services are accessory in nature to the merchant's primary business function.

SECTION A-304.40 COMMUNICATIONS SERVICES: LIMITED

Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephone mechanisms but excluding those classified as major impact services and utilities. Typical uses include television and radio studios; and telecommunication service centers.

SECTION A-304.41 COMMUNICATIONS SERVICES: TOWERS

Radio and television broadcast towers, satellite communication facilities, microwave antennas, or business dispatching or receiving antennas, and all antennas which are taller than 50 feet above ground level at grade. Where a broadcast tower is permitted, a broadcast studio is permitted to locate on the same site.

SECTION A-304.42 CONSTRUCTION SALES AND SERVICES

Establishments or places of business primarily engaged in construction activities and incidental outdoor storage and display on lots other than construction sites. This includes the retail or wholesale, from the premises, of materials used in the construction of buildings or other structures, but excluding

equipment and uses found in the Automotive and Heavy Equipment use classifications. Typical uses include lumber yards and building materials stores; tools and equipment rental or sales; electrical supplies; plumbing supplies and air conditioning or heating shops; hardware stores; paint stores; and glass stores.

SECTION A-304.43 CONVENIENCE SALES AND PERSONAL SERVICES

Establishments or places primarily engaged in the provision of frequently needed, day-to-day retail commercial goods and services. Such uses are designed and intended to serve a limited local market, and to be generally within short walking or short driving distance of a residential area. Furthermore, only uses that do not create increased traffic, noise, or such other impacts considered incompatible with a residential use will be permitted. Typical uses include small grocery stores; drug stores; candy stores; ice cream parlors (without accessory uses); dry cleaning establishments; barber shops; self-service laundries; beauty parlors; bakeries; floral and gift shops; and key and lock shops.

SECTION A-304.44 CHILD CARE CENTER

Any day nursery, nursery school, foster home, or preschool, or any place, home or institution which receives six (6) or more children under the age of eighteen (18) years and not of common parentage for foster care apart from their natural parents, legal guardians, or custodians, whether for compensation or not. (Specific regulations on childcare centers are contained in Section A-489 of this Planning and Zoning Ordinance.)

SECTION A-304.45 DRINKING ESTABLISHMENTS: SITDOWN, ALCOHOL PERMITTED

Establishments or places of business where customers are seated and served and which are primarily engaged in the sale, mixing, or dispensing of beverages containing more than 0.5 percent alcohol by volume for consumption on the premises. Typical uses include a tavern, private club, or dance hall, with minimal or no kitchen facilities and little or no food items served.

SECTION A-304.46 EATING ESTABLISHMENTS: DRIVE-IN

Establishments or places of business with little or no inside seating where prepared food and beverages are consumed within a motor vehicle on the premises or are carried outside by the purchaser to tables. These uses are normally adjacent to high volume vehicular movement areas and are characterized by either remote ordering of food from within the vehicle and delivery by attendants, or by carryout packages for consumption on or off the premises.

SECTION A-304.47 EATING ESTABLISHMENTS: FAST FOOD

Establishments or places of business primarily engaged in the sale of prepared food and beverages for both on and off-premises consumption. These uses are normally adjacent to high volume pedestrian and/or vehicular movement areas, and are characterized by pre-packaged and pre-cooked foods and by a central ordering and serving point within the establishment. Typical uses include delicatessens and chain restaurants.

SECTION A-304.48 EATING ESTABLISHMENTS: SITDOWN, ALCOHOL NOT PERMITTED

Establishments or places of business where customers are seated and served, and that are primarily engaged in the sale of prepared foods and beverages for on premise consumption. They are located at

high capacity/high volume sites that are easily accessed by vehicles and pedestrians. Typical uses include restaurants, short-order eating-places, cafeterias, and coffee shops where liquor, beer, wine, or spirits in excess of 0.5 percent alcohol by volume are not served or sold.

SECTION A-304.49 EATING ESTABLISHMENTS: SITDOWN, ALCOHOL PERMITTED

Establishments or places of business where customers are seated and served, and are engaged in the sale, mixing, or dispensing of beverages containing more than 0.5 percent alcohol by volume for on-premise consumption as accessory to a restaurant operation. Typical uses include restaurants and short order eating-places.

SECTION A-304.50 FOOD AND BEVERAGE RETAIL SALES

Establishments or places of business primarily engaged in the retail sale of food and beverages for home consumption. Typical uses include grocery stores, delicatessens; ice cream and dairy products with accessory uses; meat markets; fish and seafood markets; and fruit and vegetable markets.

SECTION A-304.51 FUNERAL AND INTERMENT SERVICES: BURIAL

Interring services involving the permanent disposition of human bodies. Typical use is a cemetery, which may include on-site structures for such accessory uses as columbarium's, crematoriums, funeral homes, and mausoleums.

SECTION A-304.52 FUNERAL AND INTERMENT SERVICES: UNDERTAKING

Undertaking services such as preparing the dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

SECTION A-304.53 GASOLINE SALES: RESTRICTED

Establishments or places of business primarily engaged in the on-site retail sale of petroleum products with incidental sale of tires, batteries, and replacement items, lubricating services and minor repair services for automobiles. Other incidental uses may include the sale of food and beverages. Typical uses include automobile service stations. Road service tow trucks are permitted, but not the temporary or permanent parking or storage of damaged, wrecked, or inoperable vehicles.

SECTION A-304.54 GASOLINE SALES: GENERAL

Establishments or places of business primarily engaged in the on-site retail sale of petroleum products with incidental sale of tires, batteries, and replacement items, lubricating services and minor repair services for both automobiles and trucks. Other incidental uses may include the sale of prepared foods and beverages for on-premise consumption, along with sleeping and showering facilities. Typical uses include truck stops.

SECTION A-304.55 HEALTH CLUBS

Establishments or places of business engaged in providing exercising and recreation facilities. Typical uses include health spas, gymnasiums, and dance exercise facilities. Spectators' provisions are incidental to the participant activity.

SECTION A-304.56 LAUNDRY SERVICES

Establishments primarily engaged in the provision of laundering, dry cleaning or dyeing services for multiple collection/distribution outlets, other than those classified as "Convenience Sales and Personal Services" and employ five or fewer full time employees. Typical uses include laundry agencies, diaper services, or linen supply services.

SECTION A-304.57 MANUFACTURED HOUSING AND TRAILERS: SALES AND RENTALS

Sale or rental from the premises of manufactured housing and travel trailers together with incidental maintenance which is a part of the agency. Typical uses include manufactured housing sales, mobile home sales, travel trailer sales, camper sales, boat sales, recreational vehicle sales, and trailer sales and rentals.

SECTION A-304.58 MEDICAL SERVICES: RESTRICTED

Establishments primarily engaged in the provision of personal health services including prevention, diagnosis and treatment or rehabilitation services provided by physicians, dentists, nurses and other health personnel as well as the provision of medical testing and analysis services. Typical uses include medical offices; dental offices; dental laboratories; clinics or health maintenance organizations; but not including any sales facilities, hospitals, convalescent centers or nursing homes.

SECTION A-304.59 MEDICAL SERVICES: GENERAL

Establishments primarily engaged in the provision of personal health services and including related retail sales activities. Typical uses include medical offices, dental offices, dental laboratories, clinics, or health maintenance facilities with related sale facilities such as opticians or pharmacies in the same structure; but not including hospitals, convalescent centers, or nursing homes.

SECTION A-304.60 PARTICIPANT RECREATION AND ENTERTAINMENT: INDOOR

Those participant recreation and entertainment uses conducted within an enclosed building. Typical uses include bowling alleys and billiard parlors, dance halls, skating rinks, arcades, and family amusement centers. Any spectators would be incidental to the participant activity.

SECTION A-304.61 PARTICIPANT RECREATION AND ENTERTAINMENT: OUTDOOR

Those participant recreation and entertainment uses conducted in open facilities. Typical uses include driving ranges or miniature golf courses; go cart tracks; drive-in theaters; and amusement parks.

SECTION A-304.62 PERSONAL SERVICES: RESTRICTED

Establishments primarily engaged in the provision of informational, instructional, and personal improvements and similar services which are able to be located in an office-type building. Typical uses include photography and art studios, travel agencies, automobile driving schools, reducing salons, dancing and music academies, and classrooms for business schools. Excluded are services which would be classified under Spectator Sports and Entertainment, Participant Recreation and Entertainment, Transient Accommodation, or Body Piercing and Tattoo Facilities.

SECTION A-304.63 PERSONAL SERVICES: GENERAL

Establishments primarily engaged in the provision of services to customers or clients which have one or more of the following characteristics: high customer volume, hand carried parcel delivery or mailing facilities, over-night parking for small service or delivery vehicles, or sale of non-mercantile items such as postage stamps or public event tickets. Typical uses include a catering establishment, post office, direct mail advertising, theater ticket office, or a utility company business office, and all activity takes place within a completely enclosed building. Excluded are services which would be classified under Body Piercing and Tattoo Facilities.

SECTION A-304.64 PERSONAL STORAGE

Buildings containing enclosed individual rental storage facilities not exceeding eight hundred (800) square feet per unit. These facilities are not used for sales purposes or storage of highly combustible materials. Typical uses include mini-warehouses and storage for recreational vehicles, boats, or trailers.

SECTION A-304.65 REPAIR SERVICES: CONSUMER

Establishments primarily engaged in the provision of repair services to individuals and households rather than to firms. Typical uses include appliance repair; apparel repair; musical instrument repair; electrical repair; shoe repair; jewelry repair shops; sewing machine repair; and watch or clock repair.

SECTION A-304.66 RESEARCH SERVICES

Administrative offices plus research facilities of a technical or scientific nature which are located within a completely enclosed building. There is no product manufacturing and no outside storage, display or activity. Typical uses include electronics or medical research facilities, product testing laboratory, or a pharmaceutical laboratory.

SECTION A-304.67 RETAIL SALES AND SERVICES: GENERAL

Establishments engaged in the sale or rental of goods and services, both retail and wholesale of commonly used goods, merchandise, and services. Typical uses include antique shops; appliance stores; clothing stores; artist supplies; book or stationery store; camera shops; furniture stores; hardware stores; jewelry stores; musical instrument stores; radio, television, and/or computer stores; shoe stores; tailor shops; toy stores; frame shops; department stores; newsstands; auto part supply stores; swimming pool supplies and equipment; record or tape stores; leather goods shops; pawnshops; monument sales; general stores; floor covering stores; bicycle stores; and tobacco shops. Pawnshops and establishments engaged in the sale of secondhand merchandise are hereby expressly excluded from this classification.

SECTION A-304.68 RETAIL SALES AND SERVICES: OUTDOOR SWAP MEET

The display, exchange, barter or sale of new or used common household items or office equipment and furnishing, carried out on any open lot. Typical uses include flea markets where clothing, personal effects, household furnishings, and household appliances are sold or otherwise exchanged.

SECTION A-304.69 RETAIL SALES AND SERVICES: USED

Establishments engaged in the sale, exchange, or barter of used or refurbished goods and/or merchandise. Typical uses included pawn shops and secondhand stores.

SECTION A-304.70 SIGN: NON-ACCESSORY

A sign or advertising device (excluding subdivision development advertising signs) which directs attention to an activity, service, or product sold or offered elsewhere than on the premises on which the sign is located; a principal use of the land on which it is located.

SECTION A-304.71 SIGN: NON-ACCESSORY - ELECTRONIC

A sign or advertising device (excluding subdivision development advertising signs) that utilizes electronic means of display and which directs attention to an activity, service or product sold or offered elsewhere than on the premises on which the sign is located: a principle use of the land on which it is located.

SECTION A-304.72 SPECTATOR SPORTS AND ENTERTAINMENT: RESTRICTED

Establishments or places engaged in the provision of cultural, entertainment, athletic, and other events to spectators as well as providing space for social or fraternal gatherings. These uses are conducted within an enclosed building with a capacity of five hundred (500) or less people and including retail sales and storage facilities that are incidental to the operation of such uses. Typical uses include small theaters or amusement places.

SECTION A-304.73 SPECTATOR SPORTS AND ENTERTAINMENT: GENERAL

Establishments or places engaged in the provision of cultural, entertainment, athletic, and other events to spectators as well as providing space for social or fraternal gatherings. These uses are conducted in an enclosed building with a capacity of more than five hundred (500) people or in open facilities and including retail sales, storage facilities, and other activities incidental to the operation. Typical uses include large theaters or amusement places.

SECTION A-304.74 SPECTATOR SPORTS AND ENTERTAINMENT: HIGH IMPACT

Establishments or places engaged in the provision of cultural, entertainment, athletic, and other events to spectators as well as providing space for social or fraternal gatherings. These uses are conducted in an enclosed building with a capacity of more than five hundred (500) people or in open facilities which may generate significant noise, odor, traffic or other impacts and including retail sales, storage facilities, and other activities incidental to the operation. Typical uses include drag strips; racetracks; fairgrounds; rodeo grounds; large exhibition halls; sports stadiums; and trade expositions.

SECTION A-304.75 TOURIST ACCOMMODATIONS: CAMPGROUND

Campground services involving temporary accommodations are for travelers, recreational vehicles, or tents; including food, drying, and other sales and services intended for the convenience of guests. Typical uses include recreational vehicle parks, and campgrounds.

SECTION A-304.76 TOURIST ACCOMMODATIONS: LODGING

Lodging services involving room accommodations for travelers, including food, drying, and other sales and services intended for the convenience of guests. Typical uses include hotels; motels; and transient boarding houses. Size and location of all retail facilities shall be subject to all the Zoning District Regulations in which the use unit is located.

INDUSTRIAL USE UNIT CLASSIFICATIONS

Industrial use unit classifications include the on-site storage, manufactured, assembly or processing of products and goods not otherwise classified as Agricultural or Extractive.

SECTION A-304.77 CUSTOM MANUFACTURING

Establishments primarily engaged in the on-site production of goods by hand manufacturing which involves only the use of hand tools or small mechanical equipment not exceeding five (5) horsepower or three (3) kiln not exceeding eight (8) kilowatts each and the incidental direct sale to consumers of only those goods produced on-site. Typical uses include ceramic studios, candle-making shops or custom jewelry manufacturers.

SECTION A-304.78 HAZARDOUS INDUSTRIAL

Establishments engaged in operations, research, or process involving explosives, radioactive materials, caustic or toxic substances, or other material posing a potential threat to public safety and health or to property. Outdoor storage of raw materials and products is permitted as long as appropriate State and Federal health and safety standards are met. Typical uses include, but are not limited to, acetylene gas manufacture or storage; acid manufacture; alcohol manufacture; ammonia, bleaching powder or chlorine manufacture; cement, lime, gypsum or plaster of paris manufacture; fertilizer manufacture; gas manufacture; refining of petroleum or its products; asphaltic mixing plants and/or asphalt plants; disinfectant manufacture; pesticides, herbicides or poison manufacture and/or storage; explosives manufacture or storage; refining, recycling or processing of radioactive materials.

SECTION A-304.79 HEAVY INDUSTRIAL

Establishments engaged in the manufacture, assembly, research, or processing of products and goods with outside storage, operations and processes meeting applicable Federal, State and Municipal Standards for wastewater and airborne industrial emissions. Even though these standards are met, noise, vibrations, smoke, dust and odor may cause adverse impacts. Outdoor storage of raw materials and products is permitted. Typical uses include, but are not limited to: slaughterhouse and packing plants; smelting of tin; copper foundries; boiler works; tire or rubber manufacture; paint manufacture; fat rendering; fertilizer mixing; glue manufacture; blast furnace; brick, tile pottery or terra cotta manufacture other than manufacture of handcart products only; celluloid manufacture or treatment; central mixing plant for concrete or cement mortar, plaster or paving materials; coke oven; creosote manufacture or treatment; distillation of bones, coal or wood; stove polish manufacture; tallow grease, or lard manufacture or refining from, or of animal fat; tanning, curing or storage of rawhides or skin; tar roofing or water proofing manufacture; vinegar manufacture; potash manufacture; automotive manufacture or assembly; lampblack manufacture; bag cleaning; match manufacture; oil cloth or linoleum manufacture; pickle manufacture; pryoxlin manufacture; rock crusher; sauerkraut manufacture; shoe polish manufacture.

SECTION A-304.80 LIGHT INDUSTRIAL: RESTRICTED

Establishments engaged in the manufacture, assembly, research, or processing of products and goods with all operation and processes entirely within an enclosed structure, requiring no outdoor industrial wastewater treatment system, producing no airborne emission, objectionable noise, glare, odor, vibrations, smoke or dust associated with the industrial operation. There is no outdoor storage of raw materials and products. Typical uses include, but are not limited to: bakery employing more than five full time employees; book binders; cabinet shops; clothing manufacturing; electronic equipment assembly and manufacturing; furniture upholstering; ice plant; laundry and dry cleaning plant employing more than five full time people; printing plant; engraving plant; instrument and meter manufacturing; mattress renovation; optical goods manufacture and photographic equipment manufacture.

SECTION A-304.81 LIGHT INDUSTRIAL: GENERAL

Establishments engaged in the manufacture, assembly, research, or processing of products and goods with operations and processes entirely within an enclosed structure, requiring no outdoor industrial wastewater treatment system, and producing no airborne emissions, objectionable noise, glare, odor, vibrations, smoke or dust associated with the industrial operation. Outdoor storage of raw materials and products is permitted with proper screening. Typical uses include, but are not limited to: bottling plant; candy manufacture; cosmetic manufacture; rubber stamp manufacture; pottery and figurine manufacturing; machine shop; and stone and monument works.

SECTION A-304.82 MODERATE INDUSTRIAL

Establishments engaged in the manufacture, assembly, research, or processing of storage, operations and processes meeting applicable Federal, State and Municipal standards for wastewater and airborne industrial emissions. Even though these standards are met noise, vibrations, smoke, dust, and odor that produce any adverse effects are not allowed. Outdoor storage of raw materials and products is permitted with proper screening. Typical uses include, but are not limited to: candle manufacture; cotton gin; cotton seed oil manufacture; dyestuff manufacture; soap manufacture other than liquid soap; soda and compounds manufacture; tobacco (chewing) manufacture or treatment; wool pulling or scouring; blacksmith shop; dying or storage yard; emery cloth or sandpaper manufacture; fish smoking or curing operations; cold rolled steel mills; glass manufacture or processing; and planning mill.

SECTION A-304.83 SCRAP OPERATIONS

Places of business primarily engaged in the storage, sale, dismantling or processing of used or waste materials that are not intended for reuse in their original form. Typical uses include automotive wrecking operations, junkyards, or paper salvage yards.

SECTION A-304.84 WHOLESALING, STORAGE AND DISTRIBUTION: RESTRICTED

Wholesaling, storage and warehousing services within enclosed structures. Typical uses include wholesale distributor; storage warehouses or moving and storage firms; and meat or food lockers.

SECTION A-304.85 WHOLESALING, STORAGE AND DISTRIBUTION: GENERAL

Open-air storage, distribution and handling of materials and equipment. Typical uses include monument or stone yards, oil field pipe storage, grain elevators or open storage yards where activity may generate noise and dust.

TRANSPORTATION USE CLASSIFICATIONS

Transportation use types include facilities for movement of people or goods by either public or private organizations.

SECTION A-304.86 TRANSPORTATION FACILITIES: PASSENGER

Surface facilities which contribute to the movement of people on a local or cross-country basis. Typical uses include inter-City bus or railroad passenger terminals.

SECTION A-304.87 TRANSPORTATION FACILITIES: FREIGHT, RESTRICTED

Facilities which contribute to the surface movement of inter-City freight, including processing, loading, and transferred. All freight goods are stored within enclosed buildings and outside activity is restricted to loading of these goods. Typical uses include cross country truck lines and their distribution warehouses, with supplementary parking of tractors and trailers.

SECTION A-304.88 TRANSPORTATION FACILITIES: FREIGHT, GENERAL

Facilities which contribute to the surface movement of inter-City freight and heavy equipment, including processing, loading, and transferring. Freight goods and materials may be stored outside. Typical use is a railroad classification or marshaling yard with supplementary containerized or raw material loading facilities and storage of rolling stock.

SECTION A-304.89 TRANSPORTATION FACILITIES: AIRCRAFT

Permanent and temporary facilities which provide access to airborne transport for people and goods. Typical uses include airport, landing strip, heliport, and helicopter landing pad.

AGRICULTURAL USE UNIT CLASSIFICATION

Agricultural use types include the on-site production, harvesting and processing of plant and animal products.

SECTION A-304.90 AGRICULTURAL PROCESSING: LIMITED

Packing or processing of crops grown on the premises, including picking, cutting, sorting, and boxing; but not including canning, reduction, or similar activity.

SECTION A-304.91 AGRICULTURAL PROCESSING: GENERAL

Packing or processing of crops and their by-products raised on or off the premises, including picking, cutting, sorting, and boxing; but not including canning, reduction, or similar activity.

SECTION A-304.92 ANIMAL RAISING: PERSONAL

Premises where animals are fed or kept for personal use and for agriculturally related projects by owner or occupant of the premises. On all tracts of land containing less than forty (40) acres the raising of hogs shall be prohibited, and on all other tracts the number of hogs shall not exceed twenty (20) grain-fed or three (3) garbage-fed hogs. Hogs shall not be located closer than two hundred (200) feet from the property line of the tract on which they are located.

SECTION A-304.93 ANIMAL RAISING: COMMERCIAL

Premises where animals are fed or kept for commercial purposes or projects by the owner or occupant of the premises. Typical uses include: beef ranches, sheep ranches, pig farms, chicken farms, and dairy farms but exclude stockyards or commercial feed lots. On all tracts of land containing less than forty (40) acres the raising of hogs shall be prohibited, and on all other tracts the number of hogs shall not exceed twenty (20) grain-fed or three (3) garbage fed hogs. Hogs shall not be located closer than two hundred (200) feet from the property line of the tract on which they are located.

SECTION A-304.94 ANIMAL WASTE PROCESSING

Processing of animal waste and by-products, including but not limited to, animal manure, animal bedding waste, and similar by-products of an animal raising agricultural operation, for use as a commercial fertilizer or soil conditioner and including composting operations.

SECTION A-304.95 HORTICULTURE

Such uses are primarily devoted to the cultivation and storage of horticultural and floricultural specialties such as flowers, shrubs, and trees intended for ornamental or landscaping purposes on a wholesale or retail sales basis. Typical uses include plant nurseries.

SECTION A-304.96 ROW AND FIELD CROPS

Premises primarily devoted to the cultivation, primarily for sale rather than home consumption, of agricultural products grown in regular or scattered patterns such as wheat, field, forage, and other plant crops intended to provide food or fibers.

EXTRACTIVE USE UNIT CLASSIFICATIONS

Extractive use unit classifications include the on-site production of mineral products by extractive methods.

SECTION A-304.97 MINING AND PROCESSING: MINERALS AND RAW MATERIALS

Places primarily devoted to surface or subsurface mining, excavation, or extraction of metallic and non-metallic materials with essential on-site processing of such products. Typical uses are a borrow pit, sandpit, quarry, or mine.

SECTION A-304.98 MINING AND PROCESSING: OIL AND GAS

Places primarily devoted to sub-surface mining of oil and gas. Typical uses are oil and gas drilling operations.

CHAPTER 4
ZONING DISTRICTS

SECTION A-401 GENERAL PROVISION

The purpose of this Section is to create Zoning Districts, to specify the nature and components of the permitted development within them; and to establish regulations regarding the physical character and intensity of development in order to protect the public health, safety and welfare.

SECTION A-402 ZONING DISTRICTS ESTABLISHED

All land within the corporate limits of the City of Del City shall be classified into one of the following Zoning Districts.

District Symbol	Prior District	District Name
A-1	(R-E)	Agricultural Reserve
U-R		Urban Reserve
R-1-D	(R-1)	Single Family Detached Residential
R-1-A		Single Family Attached Residential
R-1-LH		Single Family Large Home Residential
R-2	(R-2)	Two Family Residential
R-3	(RM-1)	Medium Density Residential
R-4	(RM-2)	High Density Residential
R-MH-1		Mobile Home Subdivision
R-MH-2	(RMH)	Mobile Home Park
O-C	(O-C)	General Office
N-C	(C-C)	Neighborhood Commercial
H-C	(C-1)	Interstate Highway Commercial
A-C	(C-2)	Arterial Commercial
I-1	(I-1)	Light and Moderate Industrial
I-2	(I-2)	Heavy Industrial
PUD	(PUD)	Planned Unit Development
SPUD	(SPUD)	Special Planned Unit Development

SECTION A-403 ORGANIZATION OF ZONING DISTRICT REGULATIONS

The regulations for each Zoning District listed herein contain three (3) major divisions:

A. The first division is the General Description of the purpose and function of the district.

B. The second division is the District Use Regulations. These regulations are divided into two categories as follows:

1. The Permitted Uses category refers to those use units which are permitted in the district by right and without qualification.

2. The Special Use Permits category refers to those uses which cannot be located in the district without a public hearing before the Planning Commission and the City Council to determine that the proposed use is appropriate for an area and can be developed with the assurance that surrounding land uses will be protected.

C. The third division is the Development Regulations which establish minimum requirements for such elements such as size of a lot, number of permissible dwelling units, height, setback, and special elements such as sight proof screening. It is not the purpose of the Development Regulations to supersede or render invalid any privately established regulations, such as platted building lines which may be contained in a subdivision plat or deed restriction.

AGRICULTURAL DISTRICT (A-1)

SECTION A-404 GENERAL DESCRIPTION OF AGRICULTURAL DISTRICT (A-1)

The purpose of this district is to restrict the use of land to the lowest type of intensity. However, it is not intended that this district provide a location for a lower standard of development than is authorized in other districts. This district is for land which cannot be developed at this time for higher uses due the lack of infrastructure.

SECTION A-404.1 DISTRICT USE REGULATIONS

SECTION A-404.1.1 USES PERMITTED BY RIGHT

Property and buildings in the A-1 (Agricultural) District shall be used only for the following purposes.

A. Agricultural Processing: Limited
B. Animal Raising: Commercial
C. Animal Raising: Personal
D. Animal Raising: Restricted
E. Home Occupation
F. Horticulture
G. Mobile Home Residential
H. Public Service or Utility Use: Light
I. Public Service or Utility Use: Moderate
J. Row and Field Crops
K. Single Family Detached Residential

SECTION A-404.1.2 SPECIAL USE PERMIT

The following additional uses may be permitted through a Special Use Permit, acquired in accordance with the provisions of this Planning and Zoning Ordinance.

A. Animal Sales and Services: Horse Stables
B. Animal Sales and Services: Kennels and Veterinary, General
C. Animal Sales and Services: Kennels and Veterinary, Restricted
D. Animals: Grooming and Sales
E. Child Care Center
F. Communication Services: Towers
G. Community Recreation: General
H. Funeral and Interment Services: Animal
I. Funeral and Interment Services: Burial
J. Low Impact Institutional: Neighborhood Related
K. Mining and Processing: Minerals and Raw Materials
L. Mining and Processing: Oil and Gas
M. Moderate Impact Institutional
N. Public Service or Utility: Heavy
O. Transportation Facilities: Aircraft

SECTION A-404.2 DEVELOPMENT REGULATIONS

SECTION A-404.2.1 MINIMUM LOT SIZE AND INTENSITY OF USE

Two and one half (2 ½) acres will be the minimum lot size.

SECTION A-404.2.2 MINIMUM LOT WIDTH

There shall be a minimum lot width of one hundred fifty (150) feet at the front building line, and such lot shall abut on a street for a distance of not less than fifty (50) feet except on section line roads where such lot shall abut on the section line road for a distance of not less than three hundred (300) feet.

SECTION A-404.3 SITE DESIGN REQUIREMENTS

A. Height: No building shall exceed thirty-five (35) feet in height, except as provided for in Section A-485.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet, measured from the front property line or roadway easement, whichever provides the greater setback from the roadway except on lots which front on a section line where the minimum set back shall be one hundred (100) feet from the surveyed section line.

C. Side Yard: There shall be a side yard setback of twenty-five (25) feet for interior lot lines and twenty-five (25) feet for lot lines abutting a street other than section line roads where the side yard shall be seventy-five (75) feet from the surveyed section line. The required side yard shall increase three (3) feet for each story or part thereof above one (1) story Churches and accessory buildings associated with the church, used for human occupancy, shall be set back from all interior side lot lines a distance of not less than twenty-five (25) feet.

D. Rear Yard: There shall be a rear yard for a main building of not less than twenty-five (25) feet.

E. Coverage: Main and accessory buildings shall not cover more than thirty (30) percent of the lot area.

SECTION A-404.4 OFF-STREET PARKING, LOADING AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with regulations established in Section A-470 of this Planning and Zoning Ordinance.

URBAN RESERVE (U-R)

SECTION A-405 GENERAL DESCRIPTION OF URBAN RESERVE DISTRICT (U-R)

The purpose of this district is to restrict the use of land owned by the City of Del City until the future uses of the property are established. This land is anticipated to be used for parkland and other public uses as future needs for municipal land are reached in this district. The majority of the land cannot be developed at this time due to lack of adequate infrastructure.

SECTION A-405.1 DISTRICT USE REGULATIONS

SECTION A-405.1.1 USES PERMITTED BY RIGHT

Property and buildings in the U-R (Urban Reserve) District shall be used only for the following purposes.

A. Agricultural Processing: Limited
B. Community Recreation: Restricted
C. Horticulture
D. Public Service or Utility: Light
E. Public Service or Utility: Moderate
F. Row and Field Crops
G. Single Family Detached Residential

SECTION A-405.1.2 SPECIAL USE PERMIT

The following additional uses may be permitted through a Special Use Permit, acquired in accordance with the provisions of this Planning and Zoning Ordinance.

A. Animal Sales and Services: Horse Stables
B. Communication Services: Towers
C. Community Recreation: General
D. Home Occupation
E. Low Impact Institutional: Neighborhood Related
F. Moderate Impact Institutional
G. Public Service or Utility: Heavy

SECTION A-405.2 DEVELOPMENT REGULATIONS

SECTION A-405.2.1 MINIMUM LOT SIZE AND INTENSITY OF USE

Two and one half (2 ½) acres will be the minimum lot size.

SECTION A-405.2.2 MINIMUM LOT WIDTH

There shall be a minimum lot width of one hundred fifty (150) feet at the front building line, and such lot shall abut on a street for a distance of not less than fifty (50) feet except on section line roads where such lot shall abut on the section line road for a distance of not less than three hundred (300) feet.

SECTION A-405.3 SITE DESIGN REQUIREMENTS

A. Height: No building shall exceed thirty-five (35) feet in height, except as provided for in Section A-485.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet, measured from the front property line or roadway easement, whichever provides the greater setback from the roadway except on lots which front on a section line where the minimum set back shall be seventy-five (75) feet from the surveyed section line.

C. Side Yard: There shall be a side yard setback of twenty-five (25) feet for interior lot lines and twenty-five (25) feet for lot lines abutting a street other than section line roads where the side yard shall be seventy-five (75) feet from the surveyed section line. The required side yard shall increase three (3) feet for each story or part thereof above one (1) story Churches and accessory buildings associated with the church, used for human occupancy, shall be set back from all interior side lot lines a distance of not less than twenty-five (25) feet.

D. Rear Yard: There shall be a rear yard for a main building of not less than twenty-five (25) feet.

E. Coverage: Main and accessory buildings shall not cover more than thirty (30) percent of the lot area.

SECTION A-405.4 OFF-STREET PARKING

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with regulations established in Section A-470 of this Planning and Zoning Ordinance.

SINGLE FAMILY DETACHED RESIDENTIAL DISTRICT (R-1-D)

SECTION A-406 GENERAL DESCRIPTION

This is the most restrictive residential district. The principal use of land is for single-family detached residences; and provision is made for related recreational, religious and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

SECTION A-406.1 DISTRICT USE REGULATIONS

SECTION A-406.1.1 USES PERMITTED BY RIGHT

Property and buildings in the R-1-D (Single Family Residential) District shall be used only for the following purposes.

A. Community Recreation: Property Owners Association
B. Community Recreation: Restricted
C. Public Service or Utility: Light
D. Single Family Detached Residential

SECTION A-406.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provisions contained in this Planning and Zoning Ordinance.

A. Animal Raising: Personal
B. Child Care Center
C. Community Recreation: General
D. Home Occupation
E. Library Services and Community Center
F. Low Impact Institutional: Neighborhood Related
G. Mining and Processing: Oil and Gas
H. Moderate Impact Institutional
I. Public Service or Utility: Moderate

SECTION A-406.2 DEVELOPMENT REGULATIONS

SECTION A-406.2.1 MINIMUM LOT SIZE AND INTENSITY OF USE

There shall be a minimum lot area of six thousand (6,000) square feet.

SECTION A-406.2.2 MINIMUM LOT WIDTH

There shall be a minimum lot width of sixty (60) feet at the front building line, and such lot shall abut on a street right-of-way for a distance of not less than thirty-five (35) feet, except on section line roads where such lot shall abut the section line for a distance of not less than three hundred (300) feet.

SECTION A-406.2.3 MINIMUM LOT DEPTH

The minimum lot depth shall be one hundred ten (110) feet.

SECTION A-406.3 SITE DESIGN REQUIREMENTS

A. Height: No building shall exceed thirty-five (35) feet in height, except as provided for in section A-485 of this Planning and Zoning Ordinance.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet, measured from the front property line or roadway easement line, whichever provides the greater setback from the roadway except on section lines where the setback shall be seventy-five (75) feet from the surveyed section line.

C. Side Yard: There shall be a side yard setback of five (5) for interior lot lines. There shall be a side yard setback of twenty (20) feet for lot lines abutting a street except where the lots are back to back and the side yard abutting the street may be reduced to fifteen (15) feet. The required side yard setback on interior lots shall be increased three feet for each story or part thereof over one (1) story. Churches and accessory buildings associated with them shall set back from all interior side lot lines a distance of not less than thirty-five (35) feet, and from exterior side lot lines a distance of not less than twenty-five (25) feet.

D. If both sides are unattached, a zero-side yard may be permitted on one side in accordance with the regulations contained in Section A-486 of this Planning and Zoning Ordinance.

E. Rear Yard: There shall be a rear yard for a main building of not less than fifteen (15) feet and or five feet wider than the utility easement across the back yard whichever is the greater distance.

F. Coverage: Main and accessory buildings shall not cover more than forty (40) percent of the lot area.

SECTION A-406.4 OFF-STREET PARKING, LOADING AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with regulations established in Section A-470 of this Planning and Zoning Ordinance.

SINGLE FAMILY ATTACHED RESIDENTIAL DISTRICT (R-1-A)

SECTION A-407 GENERAL DESCRIPTION

This district is the most restrictive district which allows two family attached dwellings. Basic restrictions are similar to the R-1-D District. The principal use of land is for two family attached dwellings with provision for accommodating the sale of individual attached units. Provisions are also made for related recreational, religious, and educational facilities normally required to provide a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through the consideration of the proper functional relationship and arrangement of each element.

SECTION A-407.1 DISTRICT USE REGULATIONS

SECTION A-407.1.1 PERMITTED USES BY RIGHT

Property and buildings in the R-1-A (Single Family Attached) Residential District shall be used only for the following purposes:

A. Community Recreation: Property Owner Association
B. Community Recreation: Restricted
C. Public Service or Utility: Light
D. Single Family Detached Residential
E. Two Family Attached Residential

SECTION A-407.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provision contained in this Planning and Zoning Ordinance.

A. Child Care Center
B. Community Recreation: General
C. Home Occupation
D. Library Services and Community Centers
E. Low Impact Institutional: Neighborhood Related
F. Mining and Processing: Oil and Gas
G. Moderate Impact Institutional
H. Public Service or Utility: Moderate

SECTION A-407.2 DEVELOPMENT REGULATIONS

SECTION A-407.2.1 MINIMUM LOT SIZE AND INTENSITY OF USE

A. Six thousand (6,000) square feet for each single family detached residence or other non-residential use.

B. Four thousand eight hundred (4,800) square feet per dwelling unit for two family attached residences.

SECTION A-407.2.2 MINIMUM LOT WIDTH

A. For single family detached dwellings and other uses there shall be a minimum lot width of sixty (60) feet at the front building line, and such lot shall abut on a street right-of-way for a distance of not less than thirty-five (35) feet except for lots which abut a section line the minimum width shall be three hundred (300) feet along the surveyed section line.

B. For two family dwellings there shall be a minimum lot width of forty (40) feet per dwelling unit at the front building line, and such lot shall abut on a street right-of-way for a distance of not less than twenty-five feet per dwelling unit except on section lines where the lot shall abut the section line for a minimum distance of three hundred (300) feet.

SECTION A-407.2.3 MINIMUM LOT DEPTH

The minimum lot depth shall be one hundred ten (110) feet.

SECTION A-407.3 SITE DESIGN REQUIREMENTS

A. Height: No building shall exceed thirty-five (35) feet in height except as provided in Section A-485 of this Planning and Zoning Ordinance.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet, measured from the front property line except along section line roads where the minimum front yard shall be seventy-five (75) feet measured from the surveyed section line.

C. Side Yard: There shall be a side yard setback of five (5) for interior lot lines. There shall be a side yard setback of twenty (20) feet for lot lines abutting a street except where the lots are back to back and the side yard abutting the street may be reduced to fifteen (15) feet. The required side yard setback on interior lots shall be increased three feet for each story or part thereof over one (1) story. Churches and accessory buildings associated with them shall set back from all interior side lot lines a distance of not less than thirty-five (35) feet, and from exterior side lot lines a distance of not less than twenty-five (25) feet. If both sides are unattached, a zero-side yard may be permitted on one side in accordance with the regulations contained in Section A-486 of this Planning and Zoning Ordinance.

D. Rear Yard: There shall be a rear yard for a main building of not less than fifteen (15) feet and or five feet wider than the utility easement across the back yard whichever is the greater distance.

E. Coverage: Main and accessory buildings shall not cover more than fifty (50) percent of the lot area.

SECTION A-407.4 OFF-STREET PARKING, LOADING AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with regulations established in Section A-470 of this Planning and Zoning Ordinance.

TWO FAMILY RESIDENTIAL (R-2)

SECTION A-408 GENERAL DESCRIPTION

The purpose of this district is to permit a slightly higher population density, but with basic restrictions similar to the R-1-A and R-1-D district. The principal use of land is for two family attached dwellings without provisions for accommodating the sale of individual attached units. Also provisions are made for related recreational, religious, and educational facilities normally required to provide a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through the consideration of the proper functional relationship and arrangement of each element.

SECTION A-408.1 DISTRICT USE REGULATIONS

SECTION A-408.1.1 USES PERMITTED BY RIGHT

Property and buildings in the R-2 (Two Family) Residential District shall be used only for the following purposes:

A. Community Recreation: Property Owners Association
B. Community Recreation: Restricted
C. Public Service or Utility: Light
D. Single Family Detached Residential
E. Two Family Attached Residential

SECTION A-408.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provision contained in this Planning and Zoning Ordinance:

A. Child Care Center
B. Community Recreation: General
C. Home Occupation
D. Library Services and Community Centers
E. Low Impact Institutional: Neighborhood Related
F. Mining and Processing: Oil and Gas
G. Moderate Impact Institutional
H. Public Service or Utility: Moderate

SECTION A-408.2 DEVELOPMENT REGULATIONS

SECTION A-408.2.1 MINIMUM LOT SIZE

A. Six thousand (6,000) square feet for each single family detached residence or other non-residential use.

B. Four thousand (4,000) square feet per dwelling unit for two family attached residences (Minimum of eight thousand (8,000) square feet per duplex unit).

SECTION A-408.2.2 MINIMUM LOT WIDTH

A. For single family detached dwellings and other uses there shall be a minimum lot width of sixty (60) feet at the front building line, and such lot shall abut on a street right-of-way for a distance of not less than thirty-five (35) feet except for lots which abut a section line where the minimum width shall be three hundred (300) feet along the surveyed section line.

B. For two family dwellings there shall be a minimum lot width of thirty (30) feet per dwelling at the front building line (sixty (60) feet per duplex) and such lot shall abut on a street right-of-way for a distance of not less than twenty (20) feet per dwelling unit (forty (40) feet per duplex) except for lots which abut a section line where the minimum width shall be three hundred (300) feet along the survey section line.

SECTION A-408.2.3 MINIMUM LOT DEPTH

The minimum lot depth shall be one hundred ten (110) feet.

SECTION A-408.3 SITE DESIGN REQUIREMENTS

A. Height: No building shall exceed thirty-five (35) feet in height, except as provided in Section A-485 of this Planning and Zoning Ordinance.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet measured from the front property line except along section lines the minimum front yard shall be seventy-five (75) feet measured from the surveyed section line.

C. Side Yard: There shall be a side yard setback of five (5) for interior lot lines. There shall be a side yard setback of twenty (20) feet for lot lines abutting a street except where the lots are back to back and the side yard abutting the street may be reduced to fifteen (15) feet. The required side yard setback on interior lots shall be increased three (3) feet for each story or part thereof over one (1) story. Churches and accessory buildings associated with them shall set back from all interior side lot lines a distance of not less than thirty-five (35) feet, and from exterior side lot lines a distance of not less than twenty-five (25) feet. If both sides are unattached, a zero-side yard may be permitted on one side in accordance with the regulations contained in Section A-486 of this Planning and Zoning Ordinance.

D. Rear Yard: There shall be a rear yard for a main building of not less than fifteen (15) feet and or five (5) feet wider than the utility easement across the back yard whichever is the greater distance.

E. Coverage: Main and accessory buildings shall not cover more than sixty (60) percent of the lot area

SECTION A-408.4 OFF-STREET PARKING, LOADING AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with regulations established in Section A-470 of this Planning and Zoning Ordinance.

MEDIUM DENSITY RESIDENTIAL (R-3)

SECTION A-409 GENERAL DESCRIPTION

This is a residential district to provide for medium density of less than ten (10) dwelling units per gross acre. The principal use of land is for townhouses and low-rise multifamily dwellings. Recreational, religious, and educational uses normally located to service residential areas are also permitted to provide the basic elements of convenient, balanced, and attractive living areas.

SECTION A-409.1 DISTRICT USE REGULATIONS

SECTION A-409.1.1 USES PERMITTED BY RIGHT

Property and buildings in the R-3 (Medium Density) Residential District shall be used only for the following purposes:

A. Community Recreation: Property Owners Association
B. Community Recreation: Restricted
C. Multifamily Residential
D. Public Service or Utility: Light
E. Single Family Detached Residential
F. Townhouses
G. Two Family Attached Residential

SECTION A-409.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provisions contained in this Planning and Zoning Ordinance:

A. Child Care Center
B. Community Recreation: General
C. Home Occupation
D. Library Services and Community Centers
E. Low Impact Institutional
F. Mining and Processing: Oil and Gas
G. Moderate Impact Institutional
H. Public Service or Utility: Moderate

SECTION A-409.3 DEVELOPMENT REGULATIONS

SECTION A-409.3.1 MINIMUM LOT SIZE

A. Six thousand (6,000) square feet for each single family detached residence or other non-residential use.

B. Four thousand (4,000) square feet per unit for two family attached residences.

C. Three thousand (3,000) square feet per unit for townhouses and multifamily residences.

SECTION A-409.3.2 MINIMUM LOT WIDTH

A. For single family detached dwellings and other uses shall be a minimum lot width of sixty (60) feet at the front building line, and such lot shall abut on a street right-of-way for a distance of not less than thirty-five (35) feet, except on section line where such lot shall abut the section line for a distance of not less than three hundred (300) feet along the surveyed section line.

B. For two family dwellings there shall be a minimum lot width of thirty (30) feet per dwelling unit at the front building line, and such lot shall abut on a street right-of-way for a distance of not less than twenty (20) feet per dwelling unit except for lots which abut a section line where the minimum width shall be three hundred (300) feet along the surveyed section line.

C. For townhouses there shall be a minimum lot width of twenty-four (24) feet per dwelling unit at the front building line, and such lot shall abut on a street right-of-way for a distance of not less than eighteen (18) feet per dwelling unit. No townhouses shall be allowed to abut a section line.

D. For multifamily dwellings there shall be a minimum lot width of sixty (60) feet at the front building line with an additional ten (10) feet for each additional multifamily dwelling unit exceeding two (2) which is located on the lot, however, the lot width at the front building line shall not be required to exceed one hundred fifty (150) feet; and provided that the front lot line shall abut a street right-of-way for a distance of not less than fifty (50) feet.

E. For group residential the minimum lot area requirements are:

Number of Rooming Units	*Lot Area Required Per Unit of Two Beds*
3-5	2,500
6-20	2,000
Over 20	1,500

SECTION A-409.3.3 MINIMUM LOT DEPTH

The minimum lot depth shall be one hundred ten (110) feet.

SECTION A-409.4 SITE DESIGN REQUIREMENTS

A. *Height*: No building shall exceed forty-five (45) feet in height, except as provided in section A-485 of this Planning and Zoning Ordinance.

B. *Front Yard*: The minimum depth of the front yard shall be twenty-five (25) feet, measured from the front property line except along section lines, the minimum depth shall be seventy-five (75) feet measured from the surveyed section line.

C. *Side Yard*: There shall be a side yard setback of five (5) for interior lot lines. There shall be a side yard setback of twenty (20) feet for lot lines abutting a street except where the lots are back to back and the side yard abutting the street may be reduced to fifteen (15) feet. The required side yard setback on interior lots shall be increased three (3) feet

for each story or part thereof over one (1) story. Churches and accessory buildings associated with them shall set back from all interior side lot lines a distance of not less than thirty-five (35) feet, and from exterior side lot lines a distance of not less than twenty-five (25) feet. If both sides of a dwelling unit are unattached, a zero-side yard may be permitted on one side in accordance with the regulations contained in Section A-486 of this Planning and Zoning Ordinance.

No side yard is required on the attached side or sides of townhouses which are platted on individual lots.

D. Rear Yard:

1. *Single Family detached and two-family attached*: There shall be a rear yard for a main building of not less than fifteen (15) feet and or five (5) feet wider than the utility easement across the back yard whichever is the greater distance.

2. *Townhouses*: There shall be a rear yard of fifteen (15) feet unless more is required due to utility locations and easements.

3. *Multifamily*: There shall be a rear yard of fifteen (15) feet unless more is required due to utility locations and easements.

E. Coverage:

1 Single family detached and two-family attached: Main and accessory buildings shall not cover more than fifty (50) percent of the lot area.

2. Townhouses and multifamily: Main and accessory building shall not cover more than fifty (50) percent of the lot area.

SECTION A-409.5 OFF-STREET PARKING, LOADING, AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with regulations established in Section A-470 of this Planning and Zoning Ordinance.

SECTION A-409.6 SITE PLAN

A site plan shall be prepared for any townhouse or multifamily type use.

HIGH DENSITY RESIDENTIAL (R-4)

SECTION A-410 GENERAL DESCRIPTION

This residential district is intended to provide a high density of more than ten (10) dwelling units per gross acre. The principal use of land is for a wide variety of dwelling types, including townhouses, low-rise multi-family dwellings, and high-rise apartments.

SECTION A-410.1 DISTRICT USE REGULATIONS

SECTION A-410.1.1 USES PERMITTED BY RIGHT

Property and buildings in the R-4 (High Density) Residential District shall be used only for the following purposes:

A. Child Care Center
B. Community Recreation: Property Owners Association
C. Community Recreation: Restricted
D. Group Residential
E. Multifamily Residential
F. Public Service or Utility: Light
G. Single Family Detached Residential
H. Townhouse
I. Two Family Detached Residential

SECTION A-410.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provisions contain in this Planning and Zoning Ordinance.

A. Community Recreation: General
B. Library Services and Community Centers
C. Low Impact Institutional: Neighborhood Related
D. Mining and Processing: Oil and Gas
E. Moderate Impact Institutional
F. Public Service or Utility: Moderate

SECTION A-410.2 DEVELOPMENT REGULATIONS

SECTION A-410.2.1 MINIMUM LOT SIZE

A. Six thousand (6,000) square feet for each single family detached residence or other non-residential use.

B. Four thousand (4,000) square feet per dwelling unit for two family attached residences.

C. Three thousand (3,000) square feet per dwelling unit for townhouses.

D. Two thousand five hundred (2,500) square feet per dwelling unit for multifamily residences.

E. For group residential the minimum lot area requirements are:

Number of Rooming Units	*Lot Area Required Per Unit of Two Beds*
3-5	2,500
6-20	2,000
Over 20	1,500

SECTION A-410.2.2 MINIMUM LOT WIDTH

A. For single family detached dwellings and other uses there shall be a minimum lot width of sixty (60) feet at the front building line, and such lot shall abut on a street right-of-way for a distance of not less than thirty-five (35) feet except for lots which abut a section line where the minimum width shall be three hundred (300) feet along the surveyed section line.

B. For two family dwellings there shall be a minimum lot width of thirty (30) feet per dwelling unit at the front building line, and such lot shall abut on a street right-of-way for a distance of not less than twenty (20) feet per dwelling unit except for lots which abut a section line where the minimum width shall be three hundred (300) feet along the surveyed section line.

C. For townhouses there shall be a minimum lot width of twenty-four (24) feet per dwelling unit at the front building line, and such lot shall abut on a street right-of-way for a distance of not less than eighteen feet (18) feet per dwelling unit. No townhouse shall abut a section line.

D. For multifamily dwellings there shall be a minimum lot width of sixty (60) feet at the front building line with an additional ten (10) feet for each additional multifamily dwelling unit exceeding two (2) which is located in the dwelling, however, the lot width at the front building line shall not be required to exceed one hundred fifty (150) feet; and further provided that the front lot line shall abut a street right-of-way for a distance of not less than fifty (50) feet.

SECTION A-410.2.3 MINIMUM LOT DEPTH

The minimum lot depth shall be one hundred ten (110) feet.

SECTION A-410.3 SITE DESIGN REQUIREMENTS

A. Height: Maximum building height shall be forty-five (45) feet, provided that additional height shall be permitted on a ratio of one additional foot of building setback for every foot of building height above forty-five (45) feet. Additional height may be allowed under the provisions of section A-485 of this Planning and Zoning Ordinance.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet measured from the front property line except along section lines the minimum depth of the front yard shall be seventy-five (75) feet measured from the surveyed section line.

C. Side Yard: There shall be a side yard setback of twenty (20) feet from the unattached side wall to the lot line for interior lots and twenty (20) feet for lots lines abutting a

street. The required set back shall be increased five (5) feet for each story above one (1) story. If both sides of a dwelling unit are unattached, a zero-side yard may be permitted on one side in accordance with the regulations contained in Section A-486 of this Planning and Zoning Ordinance. No side yard is required on the attached side or sides of townhouses which are platted on individual lots.

D. Rear Yard:

1. Single family detached and two-family attached: There shall be a rear yard for a main building of not less than twenty (20) feet.

2. Townhouses: There shall be a rear yard of fifteen (15) feet unless more is required for utilities and easements.

3. Multifamily: There shall be a rear yard of fifteen (15) feet unless more is required for utilities and easements.

E. Coverage:

1. Single family detached and two-family attached: Main and accessory buildings shall not cover more than fifty (50) percent of the area.

2. Townhouses and multifamily: Main and accessory buildings shall not cover more than sixty (60) percent of the lot area.

SECTION A-410.4 OFF-STREET PARKING, LOADING, AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with regulations established in Section A-470 of this Planning and Zoning Ordinance.

SECTION A-410.5 SITE PLAN

A site plan shall be prepared for any townhouse, multifamily or group residential type use.

MOBILE HOME SUBDIVISION (R-MH-1)

SECTION A-411 GENERAL DESCRIPTION

This is a restrictive residential district. The principal use of land is a freestanding mobile home used as a single residence. The purpose of this district is to provide a grouping of home sites within the setting of a residential subdivision for mobile homes, which are not compatible with conventional housing and are normally permitted only in mobile home parks or rural areas. This district provides for individual lots, which allow the mobile home owner to own the property on which his home is situated. Provision is made for related recreational, religious, and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for mobile homes and related facilities and through consideration of the proper functional relationship of each element. A minimum subdivision size is established to assure that sufficiency of compatible housing types can be established to create a desirable environment and provide separation from conventional housing areas which may be nearby.

SECTION A-411.1 DISTRICT USE REGULATIONS

SECTION A-411.1.1 USES PERMITTED BY RIGHT

Property and buildings in the R-MH-1 (Mobile Home Subdivision) District shall be used only for the following purposes:

A. Child Care Center
B. Community Recreation: Property Owners Association
C. Community Recreation: Restricted
D. Mobile Home Residential
E. Public Service or Utility: Light

SECTION A-411.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with the provisions contained in this Planning and Zoning Ordinance:

A. Community Recreation: General
B. Library Services and Community Center
C. Low Impact Institutional: Neighborhood Related
D. Mining and Processing: Oil and Gas
E. Moderate Impact Institutional
F. Public Service or Utility: Moderate

SECTION A-411.2 DEVELOPMENT REGULATIONS

A Mobile Home Subdivision shall be rezoned and developed with a minimum subdivision size of ten (10) acres. The standards contained below specify requirements for individual lots within the subdivision. All other regulations pertaining to Mobile Home Parks and Subdivisions should be consulted.

SECTION A-411.2.1 MINIMUM LOT SIZE AND INTENSITY OF USE

Six thousand (6,000) square feet for each single family detached residence or other non-residential use

SECTION A-411.2.2 MINIMUM LOT WIDTH

For mobile home dwellings there shall be a minimum lot width of fifty (50) feet at the front building line, and such lot shall abut on a street right-of-way for a distance of not less than thirty (30) feet.

SECTION A-411.3 SITE DESIGN REQUIREMENTS

A. Height: No building shall exceed thirty-five (35) feet in height, except as provided in Section A-485.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet measured from the front property line.

C. Side Yard: There shall be a side yard setback of five (5) for interior lot lines. There shall be a side yard setback of twenty (20) feet for lot lines abutting a street except where the lots are back to back and the side yard abutting the street may be reduced to fifteen (15) feet. The required side yard setback on interior lots shall be increased three feet for each story or part thereof over one (1) story. Churches and accessory buildings associated with them shall set back from all interior side lot lines a distance of not less than thirty-five (35) feet, and from exterior side lot lines a distance of not less than twenty-five (25) feet.

D. Rear Yard: There shall be a rear yard of not less than fifteen (15) feet or five feet wider than the utility easement across the back yard whichever is the greater distance.

E. Coverage: Main and accessory buildings shall not cover more than fifty (50) percent of the lot area. There shall be a rear yard of twenty (20) feet.

SECTION A-411.4 SCREENING AND LANDSCAPING REQUIREMENTS

Mobile home subdivisions shall be screened and landscaped in accordance with the provisions pertaining to Screening and Landscaping in Section A-465 of this Planning and Zoning Ordinance.

SECTION A-411.5 OFF-STREET PARKING, LOADING AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with the regulations established in Section A-470 of this Planning and Zoning Ordinance.

SECTION A-411.6 SITE PLAN

A site plan shall be developed in accordance with the provisions contained in this Planning and Zoning Ordinance.

MOBILE HOME PARK (R-MH-2)

SECTION A-412 GENERAL DESCRIPTION

This district permits locations for mobile home parks which, while providing a residential environment, are not generally compatible with normal residential developments. These parks are under a single ownership and provide leased or rented mobile home spaces. This district should provide for an orderly arrangement of home sites in Mobile home parks that have been located and designed in a manner that will promote and protect the health, safety, and general welfare of the residents.

SECTION A-412.1 DISTRICT USE REGULATIONS

SECTION A-412.1.1 USES PERMITTED

Property and buildings in the R-MH-2 (Mobile Home Park) District shall be used only for the following purposes:

A. Child Care Center
B. Community Recreation: Property Owners Association
C. Community Recreation: Restricted
D. Mobile Home Residential
E. Public Service or Utility: Light

SECTION A-412.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with the provisions contained in this Planning and Zoning Ordinance.

A. Community Recreation: General
B. Library Services and Community Centers
C. Low Impact Institutional: Neighborhood Related
D. Mining and Processing: Oil and Gas
E. Moderate Impact Institutional
F. Public Service or Utility: Moderate
G. Tourist Accommodation: Campgrounds

SECTION A-412.2 DEVELOPMENT REGULATIONS

In addition to the zoning regulations contained below, all regulations pertaining to Mobile Home Parks in Chapter 9 of the City of Del City Municipal Code must be meet to receive a permit operate a mobile home park.

SECTION A-412.2.1 MINIMUM LOT SIZE

The minimum area of any park shall be ten (10) acres.

SECTION A-412.2.2 INTENSITY OF USE

Intensity of development shall be limited to no more than eight (8) mobile homes per gross acre for a mobile home park and no more than twelve (12) travel trailers per gross acre for a travel trailer park.

SECTION A-412.2.3 MOBILE HOME SPACES

Each mobile home and travel trailer space shall have a minimum of not less than four thousand (4,000) square feet exclusive of parkland, access drive right-of-way and any other area which is a part of a community facility.

SECTION A-412.2.4 MINIMUM SPACE WIDTH

There shall be a minimum space width of forty (40) feet at the front building line, and such space shall abut on a street for a distance of not less than thirty (30) feet.

SECTION A-412.3 SITE DESIGN REQUIREMENTS

A. Height: No building shall exceed thirty-five (35) feet in height, except as provided in section A-485 of this Planning and Zoning Ordinance.

B. Front Yard: Mobile Homes and all other structures shall be located no less than twenty (20) feet from access drive(s) or from the street right-of-way.

C. Side Yard: There shall be a side yard setback of five (5) for interior lot lines. There shall be a side yard setback of twenty (20) feet for lot lines abutting a street except where the lots are back to back and the side yard abutting the street may be reduced to fifteen (15) feet. The required side yard setback on interior lots shall be increased three feet for each story or part thereof over one (1) story. Churches and accessory buildings associated with them shall set back from all interior side lot lines a distance of not less than thirty-five (35) feet, and from exterior side lot lines a distance of not less than twenty-five (25) feet.

D. Rear Yard: There shall be a rear yard of not less than fifteen (15) feet or five feet wider than the utility easement across the back yard whichever is the greater distance.

E. Coverage: Main and accessory buildings shall not cover more than fifty (50) percent of a mobile home space.

SECTION A-412.4 SCREENING AND LANDSCAPING REQUIREMENTS

Mobile home parks shall be screened and landscaped in accordance with the provisions in the Section A-465 of this Planning and Zoning Ordinance pertaining to screening and landscaping.

SECTION A-412.5 OFF-STREET PARKING, LOADING, AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading and maneuvering of vehicles in accordance with the regulations established in Section A-470 of this Planning and Zoning Ordinance.

SECTION A-412.6 SITE PLAN

A site plan shall be developed in accordance with the provisions contained in this Planning and Zoning Ordinance.

SINGLE FAMILY LARGE HOME RESIDENTIAL DISTRICT (R-1-LH)

SECTION A-413 GENERAL DESCRIPTION

This is a specialty residential district intended to designate tracts of land for development and redevelopment so as to encourage creation of neighborhoods of the highest quality. The principal use of land within this district is for detached single-family residences that are larger than standard dwellings existing in the city and are located on larger than typical lots. Construction and maintenance of these dwellings is to be subject to strict guidelines, as is development of the neighborhoods in which the dwellings are located. Uses permitted in other residential zoning districts, including home occupations and child care centers, are not permitted. Open space is encouraged. The district regulations are intended to provide for the highest standards related to aesthetics and livability and to encourage the development of neighborhoods capable of attracting residents to the city.

SECTION A-413.1 DISTRICT USE REGULATIONS

SECTION A-413.1.1 USES PERMITTED BY RIGHT

Property and buildings in the R-1-LH (Single Family Large Home Residential) District shall be used only for the following purposes:

A. Large Home Residential

SECTION A-413.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with the provisions contained in this Planning and Zoning Ordinance.

A. Community Recreation: General
B. Community Recreation: Restricted
C. Community Recreation: Property Owners Association
D. Library Services and Community Center
E. Low Impact Institutional
F. Public Service or Utility: Light

SECTION A-413.2 DEVELOPMENT REGULATIONS

SECTION A-413.2.1 MINIMUM LOT SIZE and INTENSITY OF USE

There shall be a minimum lot size of nine thousand (9,000) square feet.

SECTION A-413.2.2 MINIMUM LOT WIDTH

There shall be a minimum lot width of eighty (80) feet at the front building line.

SECTION A-413.2.3 MINIMUM LOT DEPTH

The minimum lot depth shall be one hundred twenty-five (125) feet.

SECTION A-413.3 DESIGN AND CONSTRUCTION REQUIREMENTS

A. Height: No building shall exceed three (3) stories in height.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet, measured from the front property line or roadway easement line, whichever provides the greater setback from the roadway except on section lines where the setback shall be seventy-five (75) feet from the surveyed section line.

C. Side Yard: There shall be a side yard setback of ten (10) feet for interior lot lines. There shall be a side yard setback of twenty (20) feet for lot lines abutting a street.

D. Rear Yard: There shall be a rear yard for a main building of not less than fifteen (15) feet and/or ten (10) feet wider than the utility easement across the back yard, whichever distance is greater.

E. Coverage: Main and accessory buildings, not including in-ground swimming pools or patios, shall not cover more than thirty (30) percent of the lot area.

F. Minimum Livable Area: The total usable floor area in each dwelling shall exceed two thousand four hundred (2,400) square feet, excluding garages, attics and basements.

G. Minimum Construction Standards: Each building shall be constructed of with a primary structural material or facing of brick or stone on all exterior wall surfaces. Each building shall have at least one distinctive architectural feature, to be approved in the sole discretion of the permitting authority. The roof pitch of each building shall exceed 8/12. Roofing material will be composition shingling, cooper or slate that is architectural in style. Standing seam metal roofs or wood shake roofs will not be permitted. Foundations will be compliant with the currently adopted building code and will have dug footings and stem walls. Engineered foundations commonly called “pier and grade” will be permitted only for accessory buildings.

H. Driveways and Garages: All dwellings shall have an attached three (3) car garage and a driveway of a width not smaller than the width of the garage doors. Driveway expansions are not permitted.

I. Accessory Structures: One accessory building, constructed of the same materials and having the same roof pitch as the primary dwelling, will be permitted on each lot, to be located only on a concrete slab in the rear yard and not to exceed one hundred forty-four (144) square feet in floor area or eight feet above the slab grade in wall height. Trellises, patio slabs and patio covers shall be permitted in rear yards only. Accessory buildings may be served by domestic utilities but may not contain habitable space.

J. Storm Shelters: Each dwelling shall have an underground storm shelter located in the rear yard or rear patio or a safe room located in an interior room. Storm shelters shall not be permitted to be installed within garage floors.

K. Fencing: Each rear yard will be fenced with wooden stockade fencing that is 6’ in height and that is stained or preserved in a transparent, natural color. Metal paneling, chain

link, painted wood and vinyl fencing are not permitted. Fencing shall not be permitted to extend past the front of the structure.

L. Swimming Pools: In-ground swimming pools are permitted in rear yards. Above-ground and temporary pools are not permitted.

M. Recreational Vehicles, Boats and Trailers: Recreational vehicles, boats and trailers are not permitted to be parked or stored except in attached garages.

N. Large or Commercial Vehicles: Commercial vehicles of any sort, including any truck larger than a three-quarter ton pickup or any van larger than a standard passenger van, are not permitted to be parked or stored except while actively engaged in provision of services.

O. Landscaping: Each building shall be services by an irrigation system installed at the time of construction. The system shall have a separate connection to the water main and shall have a backflow preventer located inside a utility closet in the structure. Each building shall have lawns of grass or other vegetative material and shall have shrubbery or plantings installed at the time of construction. Landscape plans shall be submitted at the time of construction and are subject to approval at the sole discretion of the permitting authority.

P. Utilities: All buildings will be served by City services for domestic water, sewer and sanitation. All utility lines, including but not limited to electric, gas, voice and data will be installed underground.

Q. Street Design: Any street providing access from an arterial street will be a boulevard design with appropriate landscaping on the edges and center median. All streets will be designed with curbs and gutters. Streets may not be used as stormwater conveyances and should remain passable during any rain event up to and including the one-percent (1% or 100 year) chance event.

R. Riparian Buffers: A riparian buffer consisting of natural vegetation of at least twenty (20) feet in width from any stream bank will be preserved and maintained. Maintenance of this buffer area will be the responsibility of the adjacent property owners unless the area is bother dedicated as common area and maintained by a bona fide property owners' association.

S. Detention Areas: Detention areas, borrow pits, retention ponds, siltation ponds and similar shall be designed to allow for periodic maintenance.

T. Rain Gardens: Each building shall be served by a rain garden or rainwater recycling system installed at the time of construction.

U. Maintenance of Common Areas and Infrastructure: Common areas and other infrastructure, other than those accepted by the City as public improvements, shall be maintained by a bona fide property owners' association. In the event that a bona fide property owners' association does not exist or fails to adequately maintain common areas and infrastructures, responsibility for such maintenance will fall jointly to the original developer and any subsequent developers, along with the owners and

occupants of all properties served by the common area or infrastructure. In the event that such maintenance is not performed, the City, upon ten days' notice to the property owners' association, may cause such maintenance to be performed and may charge the cost of such maintenance against the property owners and/or developers in the same manner as charges for abatement of a public nuisance are assessed. In an emergency situation the City may act without providing such notice.

ARTERIAL COMMERCIAL (A-C)

SECTION A-420 GENERAL DESCRIPTION

This commercial district is designed for the conduct of personal and business services and the general retail trade of the community and the surrounding area. The activities conducted and traffic generated make this district very incompatible with residential development. Therefore, this district should be utilized at points of direct access from freeways, expressways, and arterial intersections, or in areas identified for heavy commercial activity that will be well separated from nearby residential areas. Outdoor storage and display is not permitted.

SECTION A-420.1 DISTRICT USE REGULATIONS

SECTION A-420.1.1 USES PERMITTED

Property and buildings in the A-C (Arterial Commercial) District shall be used only for the following purposes:

A. Administrative and Professional Office
B. Agricultural Supplies and Services
C. Alcohol Beverage Retail Sales
D. Animal Sales and Services: Kennels and Veterinary, Restricted
E. Animals: Grooming and Sales
F. Building Maintenance Services
G. Business Support Services
H. Child Care Center
I. Communications Services: Limited
J. Community Recreation: General
K. Community Recreation: Property Owners Association
L. Community Recreation: Restricted
M. Convenience Sales and Personal Services
N. Cultural Exhibits
O. Custom Manufacturing: All Activities Shall Be Conducted Inside a Building
P. Eating Establishments: Sit-Down, Alcohol Not Permitted
Q. Eating Establishments: Drive-In
R. Eating Establishments: Fast Foods
S. Food and Beverage Retail Sales
T. Funeral and Interment Services: Undertaking
U. Gasoline Sales: Restricted
V. Health Clubs
W. Horticulture
X. Laundry Services
Y. Library Services and Community Centers
Z. Low Impact Institutional: Neighborhood Related
AA. Medical Services: General
BB. Medical Services: Restricted
CC. Participant Recreation and Entertainment: Indoor
DD. Personal Services: General

EE. Personal Services: Restricted
FF. Public Service or Utility: Light
GG. Public Service or Utility: Moderate
HH. Repair Services: Consumer
II. Research Services
JJ. Retail Sales and Services: General
KK. Spectator Sports and Entertainment: General
LL. Spectator Sports and Entertainment: Restricted
MM. Tourist Accommodations: Lodging
NN. Wholesaling, Storage and Distribution: Restricted

SECTION A-420.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provisions contained in this Planning and Zoning Ordinance.

A. Adult Day Care Centers
B. Animal Sales and Services: Kennels and Veterinary, General
C. Automotive and Equipment: Heavy
D. Automotive Equipment Sales and Rentals: Heavy
E. Automotive Equipment: Light
F. Automotive Sales and Rentals: Light
G. Body Piercing and Tattoo Facilities
H. Communication Services: Towers
I. Drinking Establishments: Sit-Down, Alcohol Permitted
J. Eating Establishments: Sit-Down, Alcohol Permitted
K. Funeral and Internment Services: Cremating
L. Gasoline Sales: General
M. High Impact Institutional
N. Light Industrial: Restricted, All Activities Shall Be Conducted Inside a Building
O. Mining and Processing: Oil and Gas
P. Moderate Impact Institutional
Q. Participant Recreation and Entertainment: Outdoor
R. Sign: Non-Accessory
S. Sign: Non-Accessory, Electronic
T. Spectator Sports and Entertainment: High Impact

SECTION A-420.2 DEVELOPMENT REGULATIONS

SECTION A-420.2.1 MINIMUM AREA FOR A CHANGE IN ZONING DISTRICT

Twelve Thousand (12,000) square feet.

SECTION A-420.2.2 MINIMUM FRONTAGE FOR A CHANGE IN ZONING DISTRICT

One hundred (100) feet, measured along the front property line. Only one (1) side shall be considered the front.

SECTION A-420.3 SITE DESIGN REQUIREMENTS

A. Height: No restrictions, unless there is a residential zoning district (U-R, R-1-D, R-1-A, R-2, R-3, R-4, RM-1, or RM-2) within one hundred fifty (150) feet of the proposed building, where upon the building height shall be limited as follows:

1. For the first seventy-five (75) feet of distance from said zoning district boundary, building height shall not exceed thirty-five (35) feet;

2. From seventy-five (75) feet to one hundred fifty (150) feet of distance from said zoning district boundary, building height may be increased above thirty-five (35) feet to a maximum height of 6 (six) stories within a diagonal line representing two feet of additional building setback for every one (1) foot of additional height.

3. For the balance of the parcel, building height may be increased above six (6) stories within a diagonal line representing one (1) foot of additional building setback for every two (2) feet of additional height.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet measured from the front property line.

C. Side Yard: Minimum building setback shall be as follows:

1. Abutting a commercial or industrial district with a common wall - zero (0) feet.

2. Abutting a commercial or industrial district without a common wall - five (5) feet.

3. Abutting a residential district without parking or driveways in the side yard ten (10) feet.

4. Abutting a residential district with a driveway or parking in the side yard - fifteen (15) feet. The driveway or parking lot must be at least ten (10) feet away from the residential district.

5. Exterior lot line abutting an arterial street shall be twenty-five (25) feet.

6. All other exterior lots shall be fifteen (15) feet.

D. Rear Yard: None, except where a platted building line exists or as follows:

1. Abutting a residential district - ten (10) feet.

2. If the building is to be serviced from the rear there shall be provided an alleyway, service court, rear yard, or combination thereof of not less than thirty (30) feet. The thirty feet cannot be used or counted for parking space. It shall be used for deliveries only. No portion of the alleyway or service court that is paved shall be located within fifteen (15) feet of any residential district.

E. Limited outdoor storage shall be permitted under the following conditions:

1. Area must abut on the side or rear of a building being used by the person or firm desiring use of the outdoor storage area unless a fire lane must be maintained next to the building; if so, directly adjacent to the fire lane.

2. Area cannot exceed ten (10) percent of the gross area of the space occupied by the person or firm immediately adjacent thereto.

3. Storage must be on an improved surface and shall not be in the designated parking lot area for the business or location.

4. Area must be screened by a sight-proof fence conforming to Section A-465 of this code, except that the fence shall be eight (8) feet in height. Screening requirements shall not apply to vehicles or trailers maintaining a current certificate of registration. Such current registration shall be shown on the vehicle or trailer.

5. Storage must be incidental to the abutting business.

6. All other requirements of the Ordinances of Del City shall apply.

F. Limited permanent outdoor storage shall be permitted under the following conditions:

1. Permanent limited outdoor display of merchandise or amusements on the sidewalk is limited to an area immediately in front of the occupied premises, and at all times a four (4) foot pedestrian aisle way, free of obstructions, shall be maintained.

2. Permanent limited outdoor display on a sidewalk shall be limited to coin operated merchandise dispensing devices, newspaper racks, ice dispensers, or machines or coin operated children's amusements such as pony ride machines. Said display of amusements or coin operated merchandise dispensing devices shall be limited to five (5) such devices of one type or another, or combinations of said devices not to exceed five (5) for each individual business; newspaper racks shall not be counted in determining total allowed devices. The above description of devices is not intended to be all inclusive but is intended to give a general example of the types of devices permitted.

3. No permanent display of merchandise of any type will be permitted in a designated parking lot area unless minimum parking requirements are met and shall not exceed ten (10) percent of gross floor area of the business.

4. No permanent displays of amusement devices are permitted in any designated parking areas.

5. All other requirements of the ordinances of Del City shall apply.

G. Temporary display of merchandise or amusements shall be permitted on a sidewalk or in a parking lot under the following conditions:

1. Must be incidental to the business utilizing such display.

2. Must be on the sidewalk or parking lot immediately in front of or beside said business.

3. If on a sidewalk, a four (4) foot pedestrian aisle way shall be maintained at all times.

4. Shall not exceed seven (7) days during a calendar month except that seasonal merchandise may be maintained on the sidewalk or parking lot for the normal season of said merchandise.

5. Merchandise displayed in the parking lot shall not exceed ten (10) percent of the gross area of the business and shall not reduce the required number of parking spaces below the minimum required by this code.

6. All other requirements of the ordinances of Del City shall apply.

H. Violations of sections E, F, and G of the above code are a responsibility of the landowner and the tenant; and, either of these entities may be cited for said violation. Each day a violation should occur shall be considered a separate offense.

I. No business or use in existence at the time of adoption of this ordinance shall be exempt from the requirements of this ordinance on the effective date thereof.

SECTION A-420.4 SCREENING AND LANDSCAPING REQUIREMENTS

Property abutting a residential district shall be screened and landscaped in accordance with all the provisions of section A-465 of this Planning and Zoning Ordinance pertaining to screening and landscaping. In addition, property not abutting a residential district shall be landscaped in accordance with the provisions of section A-465 of this Planning and Zoning Ordinance.

SECTION A-420.5 OFF-STREET PARKING, LOADING, AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and A-470 of this Planning and Zoning Ordinance.

SECTION A-420.6 SITE PLAN

A site plan shall be developed in accordance with the provisions contained in this Planning and Zoning Ordinance and show the required landscaping.

GENERAL COMMERCIAL (G-C)

SECTION A-421 GENERAL DESCRIPTION

This commercial district is designed for the conduct of personal and business services and the general retail trade of the community and the surrounding area. Because the permitted uses need larger areas to merchandise and display products, make this district very incompatible with residential development.

SECTION A-421.1 DISTRICT USE REGULATIONS

SECTION A-421.1.1 USES PERMITTED BY RIGHT

Property and buildings in the G-C (General Commercial) District shall be used only for the following purposes:

A. Administrative and Professional Office
B. Adult Day Care Centers
C. Agricultural Supplies and Services
D. Alcohol Beverage Retail Sales
E. Animal Sales and Services: Kennels and Veterinary, Restricted
F. Animals: Grooming and Sales
G. Automotive and Equipment: Light
H. Automotive and Equipment: Storage
I. Automotive Sales and Rentals: Light
J. Building Maintenance Services
K. Business Support Services
L. Child Care Center
M. Communications Services: Limited
N. Community Recreation: General
O. Community Recreation: Property Owners Association
P. Community Recreation: Restricted
Q. Construction Sales and Services
R. Convenience Sales and Personal Services
S. Cultural Exhibits
T. Custom Manufacturing
U. Eating Establishments: Drive-In
V. Eating Establishments: Fast Foods
W. Eating Establishments: Sit-Down, Alcohol Not Permitted
X. Food and Beverage Retail Sales
Y. Funeral and Interment Services: Undertaking
Z. Gasoline Sales: General
AA. Gasoline Sales: Restricted
BB. Health Clubs
CC. Horticulture
DD. Laundry Services
EE. Library Services and Community Centers
FF. Light Industrial: Restricted
GG. Low Impact Institutional: Neighborhood Related

HH. Manufactured Housing and Travel Trailers: Sales and Services
II. Medical Services: General
JJ. Medical Services: Restricted
KK. Participant Recreation and Entertainment: Indoor
LL. Public Service or Utility: Light
MM. Public Service or Utility: Moderate
NN. Personal Services: General
OO. Personal Services: Restricted
PP. Repair Services: Consumer
QQ. Research Services
RR. Retail Sales and Services: General
SS. Spectator Sports and Entertainment: General
TT. Spectator Sports and Entertainment: Restricted
UU. Tourist Accommodations: Campground
VV. Tourist Accommodations: Lodging
WW. Wholesaling, Storage and Distribution: Restricted

SECTION A-421.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provisions contained in this Planning and Zoning Ordinance:

A. Animal Sales and Services: Auctioning
B. Animal Sales and Services: Horse Stables
C. Animal Sales and Services: Kennels and Veterinary, General
D. Automotive and Equipment: Heavy
E. Automotive Equipment Sales and Rentals: Heavy
F. Check Cashing and Payday Loan Establishment
G. Communication Services: Towers
H. Drinking Establishments: Sit-Down, Alcohol Permitted
I. Eating Establishments: Sit-Down, Alcohol Permitted
J. Funeral and Internment Services: Cremating
K. High Impact Institutional
L. Mining and Processing: Oil and Gas
M. Moderate Impact Institutional
N. Participant Recreation and Entertainment: Outdoor
O. Retail Sales: Outdoor Swap Meets
P. Spectator Sports and Entertainment: High Impact

SECTION A-421.2 DEVELOPMENT REGULATIONS

SECTION A-421.2.1 MINIMUM AREA FOR A CHANGE IN ZONING DISTRICT

Three (3) Acres.

SECTION A-421.2.2 MINIMUM FRONTAGE FOR A CHANGE IN ZONING DISTRICT

Three Hundred Fifty (350) feet, measured along the front property line. Only one (1) side shall be considered the front.

SECTION A-421.2.3 SITE DESIGN REQUIREMENTS

A. Height: No restrictions, unless there is a residential zoning district (U-R, R-1-D, R-1-A, R-2, R-3, R-4, RM-l or RM-2) within one hundred fifty (150) feet of the proposed building, where upon the building height shall be limited as follows:

1. For the first seventy-five (75) feet of distance from said zoning district boundary, building height shall not exceed thirty-five (35) feet;

2. From seventy-five (75) to one hundred fifty (150) feet of distance from said zoning district boundary, building height may be increased above thirty-five (35) feet to a maximum height of six (6) stories within a diagonal line representing two feet of additional building setback for every one (1) foot of additional height.

3. For the balance of the parcel, building height may be increased above six (6) stories within a diagonal line representing one (1) foot of additional building setback for every two (2) feet of additional height.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet, measured from the front property line.

C. Side Yard: Minimum building setback shall be as follows:

1. Abutting a commercial or industrial district with a common wall shall be zero (0) feet.

2. Abutting a commercial or industrial district without a common wall shall be five (5) feet.

3. Abutting a residential district without parking or driveways in the side yard shall be ten (10) feet.

4. Abutting a residential district with a driveway or parking in the side yard shall be fifteen (15) feet. The driveway or parking lot must be at least ten (10) feet away from the residential district.

5. Exterior lot line abutting an arterial street shall be twenty-five (25) feet.

6. All other exterior lots shall be fifteen (15) feet.

D. Rear Yard: None, except where a platted building line exists or as follows:

1. Abutting a residential district shall be ten (10) feet.

2. If the building is to be serviced from the rear there shall be provided an alleyway, service court, rear yard or combination thereof of not less than thirty (30) feet. The thirty feet cannot be used or counted for parking spaces. It shall be used for deliveries only. No portion of any alleyway or service court that is paved shall be located within fifteen (15) feet of any residential property.

SECTION A-421.4 SCREENING AND LANDSCAPING REQUIREMENTS

Property abutting a residential district shall be screened and landscaped in accordance with the provisions of section A-465 of this Planning and Zoning Ordinance pertaining to Landscaping and Screening. In addition, property not abutting a residential district shall be landscaped in accordance with the provision of Section A-465 of this code.

SECTION A-421.5 OFF-STREET PARKING, LOADING, AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with the regulations established in Section A-470 of this Planning and Zoning Ordinance

SECTION A-421.6 SITE PLAN

A site plan shall be developed in accordance with the provisions contained in this Planning and Zoning Ordinance.

INTERSTATE HIGHWAY COMMERCIAL (H-C)

SECTION A-422 GENERAL DESCRIPTION

This commercial district is intended for the conduct of business activity which is located at the edge of residential areas but which serves the traveling public using an Interstate Highway and encompasses a larger trade area than the immediately surrounding residential neighborhoods. Business uses will most often be found in a wide variety of commercial structures, normally on individual sites with separate ingress, egress, and parking. Because of the varied uses permitted, it is important to be separated as much as possible visually and physically from any nearby residential areas and to limit the harmful effects of increased traffic, noise, and general non-residential activity which will be generated. Outdoor storage and display is generally not permitted.

SECTION A-422.1 DISTRICT USE REGULATIONS

SECTION A-422.1.1 USES PERMITTED

Property and buildings in the H-C (Interstate Highway Commercial) District shall be used only for the following purposes:

A. Administrative and Professional Office
B. Alcoholic Beverage: Retail Sales
C. Construction Sales and Services: No Outside Storage
D. Convenience Sales and Personal Services
E. Cultural Exhibits
F. Eating Establishments: Drive In
G. Eating Establishments: Fast Foods
H. Eating Establishments: Sit-Down, Alcohol Not Permitted
I. Food and Beverage Retail Sales
J. Gasoline Sales: Restricted
K. Laundry Services
L. Library Services and Community Centers
M. Low Impact Institutional: Neighborhood Related
N. Medical Services: General
O. Medical Services: Restricted
P. Participant Recreation and Entertainment: Indoor
Q. Personal Services: General
R. Personal Services: Restricted
S. Public Service or Utility: Light
T. Public Service or Utility: Moderate
U. Retail Sales and Services: General
V. Tourist Accommodations: Lodging

SECTION A-422.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provisions contained in this Planning and Zoning Ordinance.

A. Adult Day Care Centers

B. Alcoholic Beverage: Retail Services
C. Communication Services: Towers
D. Custom Manufacturing
E. Drinking Establishments: Sit-Down, Alcohol Permitted
F. Eating Establishments: Sit-Down, Alcohol Permitted
G. Gasoline Sales: General
H. High Impact Institutional
I. Mining and Processing: Oil and Gas
J. Moderate Impact Institutional
K. Participant Recreation and Entertainment: Outdoor
L. Spectator Sports and Entertainment: High Impact
M. Spectator Sports and Entertainment: Restricted

SECTION A-422.2 DEVELOPMENT REGULATIONS

SECTION A-422.2.1 MINIMUM AREA FOR A CHANGE IN ZONING DISTRICT

Twelve Thousand (12,000) square feet.

SECTION A-422.2.2 MINIMUM FRONTAGE FOR A CHANGE IN ZONING DISTRICT

One hundred (100) feet, measured along the front property line. Only one (1) side shall be considered the front.

SECTION A-422.3 SITE DESIGN REQUIREMENTS

A. Height: No restrictions, unless there is a residential zoning district (U-R, R-1-D, R-1-A, R-2, R-3, R-4, RM-1, or RM-2) within one hundred fifty (150) feet of the proposed building, where upon the building height shall be limited as follows:
   1. For the first seventy-five (75) feet of distance from said zoning district boundary, building height shall not exceed thirty-five (35) feet;
   2. From seventy-five (75) feet to one hundred fifty (150) feet of distance from said zoning district boundary, building height may be increased above thirty-five (35) feet to a maximum height of 6 (six) stories within a diagonal line representing two feet of additional building setback for every one (1) foot of additional height.
   3. For the balance of the parcel, building height may be increased above six (6) stories within a diagonal line representing one (1) foot of additional building setback for every two (2) feet of additional height.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet measured from the front property line.

C. Side Yard: Minimum building setback shall be as follows:
   1. Abutting a commercial or industrial district with a common wall - zero (0) feet
   2. Abutting a commercial or industrial district without a common wall - five (5) feet.

3. Abutting a residential district without parking or driveways in the side yard - ten (10) feet.

4. Abutting a residential district with a driveway or parking in the side yard - fifteen (15) feet. The driveway or parking lot must be at least ten (10) feet away from the residential district.

5. Exterior lot line abutting an arterial street - twenty-five (25) feet.

6. All other exterior lots - fifteen (15) feet.

D. Rear Yard: None, except where a platted building line exists or as follows:

1. Abutting a residential district - ten (10) feet.

2. If the building is to be serviced from the rear there shall be provided an alleyway, service court, rear yard, or combination thereof of not less than thirty (30) feet. The thirty feet cannot be used or counted for parking space. It shall be used for deliveries only. No portion of any alleyway or service court which is paved shall be located within fifteen (15) feet of any residential district.

SECTION A-422.4 SCREENING AND LANDSCAPING REQUIREMENTS

Property abutting a residential district shall be screened and landscaped in accordance with all the provisions of section A-465 of this Planning and Zoning Ordinance pertaining to Screening and Landscaping. In addition, property not abutting a residential district shall be landscaped in accordance with the provisions of section 465 of this Planning and Zoning Ordinance.

SECTION A-422.5 OFF-STREET PARKING, LOADING, AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with the regulations established in Section A-470 of this Planning and Zoning Ordinance.

SECTION A-422.6 SITE PLAN

A site plan shall be developed in accordance with the provisions contained in this Planning and Zoning Ordinance and show the required landscaping.

NEIGHBORHOOD COMMERCIAL (N-C)

SECTION A-423 GENERAL DESCRIPTION

This district is intended to provide a location for a limited number of retail commercial goods and personal services which serve the day-to-day needs of the residents of surrounding neighborhoods. Because these shops and offices are lower intensity uses, they may be designed to be located along arterial streets in close proximity to housing areas or as limited service facilities in larger planned high-density housing areas. This district is limited to the types of uses that will not cause an adverse impact (i.e. noise, lighting, traffic) upon the surrounding area. Outdoor storage and display is not permitted.

SECTION A-423.1 DISTRICT USE REGULATIONS

SECTION A-423.1.1 USES PERMITTED BY RIGHT

Property and buildings in the N-C (Neighborhood Commercial District shall be used only for the following purposes:

A. Administrative and Professional Office
B. Animal Sales and Services: Kennels and Veterinary, Restricted
C. Animals: Grooming and Sales
D. Business Support Services
E. Child Care Center
F. Communication Services: Limited
G. Community Recreation: General
H. Community Recreation: Property Owners Association
I. Community Recreation: Restricted
J. Convenience Sales and Personal Services
K. Cultural Exhibits
L. Library Services and Community Centers
M. Low Impact Institution: Neighborhood Related
N. Medical Services: General
O. Medical Services: Restricted
P. Personal Services: Restricted
Q. Public Service or Utility: Light
R. Public Service or Utility: Moderate
S. Repair Services: Consumer

SECTION A-423.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provisions contained in this Planning and Zoning Ordinance.

A. Agriculture Supplies and Services
B. Alcoholic Beverage: Retail Sales
C. Building Maintenance Services
D. Communication Services: Towers
E. Eating Establishments: Sit-Down, Alcohol Permitted
F. Eating Establishments: Sit-Down, Alcohol Not Permitted

G. Gasoline Sales: Restricted
H. Health Clubs
I. Mining and Processing: Oil and Gas
J. Moderate Impact Institutional
K. Participant Recreation and Entertainment: Indoor
L. Personal Services: General
M. Research Services

SECTION A-423.2 DEVELOPMENT REGULATIONS

SECTION A-423.2.1 MINIMUM AREA FOR A CHANGE IN ZONING DISTRICT:

Six thousand (6,000) square feet.

SECTION A-423.2.2 MINIMUM FRONTAGE FOR A CHANGE IN ZONING DISTRICT

One hundred (100) feet, if fronting onto an arterial street, fifty (50) feet if fronting onto a collector or local street. The measurement shall be along the front property line. Only one (1) side shall be considered the front.

SECTION A-423.3 SITE DESIGN REQUIREMENTS

A. Height: No building or structure shall exceed thirty-five (35) feet in height except as otherwise provided in Section A-485 of this Planning and Zoning Ordinance.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet measured from the front property line.

C. Side Yard: Minimum building setback shall be as follows:
   1. Abutting a commercial or industrial district with a common wall - zero (0) feet.
   2. Abutting a commercial or industrial district without a common wall - five (5) feet.
   3. Abutting a residential district without parking or driveways in the side yard - ten (10) feet.
   4. Abutting a residential district with a driveway or parking in the side yard - fifteen (15) feet. The driveway or parking lot must be at least ten (10) feet away from the residential district.
   5. Exterior lot line abutting an arterial street – twenty-five (25) feet.
   6. All other exterior lots - fifteen (15) feet.

D. Rear Yard: None, except where a platted building line exists or as follows:
   1. Abutting a residential district - ten (10) feet.
   2. If the building is to be serviced from the rear there shall be provided an alleyway, service court, rear yard, or combination thereof of not less than thirty (30) feet. The thirty feet cannot be used or counted for parking space. It shall be

used for deliveries only. No portion of the alleyway or service court which is paved shall be located within fifteen (15) feet of any residential district.

E. Coverage: Main and accessory buildings shall not cover more than fifty (50) percent of the lot area. Main and accessory buildings and off-street parking and loading facilities shall not cover more than ninety (90) percent of the lot area. At least ten (10) percent of the lot (not including right-of-way) shall be green open space.

SECTION A-423.4 SCREENING AND LANDSCAPING REQUIREMENTS

Property abutting a residential district shall be screened and landscaped in accordance with all the provisions of section A-465 of this Planning and Zoning Ordinance pertaining to screening and landscaping. In addition, property not adjacent to a residential district shall be landscaped in accordance with the provisions of A-465 of this Planning and Zoning Ordinance.

SECTION A-423.5 OFF-STREET PARKING, LOADING, AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with the regulations established in Section A-470 of this Planning and Zoning Ordinance.

SECTION A-423.6 SITE PLAN

A site plan shall be developed in accordance with the provisions contained in this Planning and Zoning Ordinance and show the required landscaping.

OFFICE COMMERCIAL (O-C)

SECTION A-424 GENERAL DESCRIPTION

This commercial district is intended to provide a location for offices. This district places an emphasis on building location and design in conjunction with landscaping. This district can be used as a buffer between residential areas and more intense activities.

SECTION A-424.1 DISTRICT USE REGULATIONS

SECTION A-424.1.1 USES PERMITTED BY RIGHT

Property and buildings in the O-C (Office Commercial District) shall be used only for the following purposes:

A. Administrative and Professional Office
B. Business Support Services
C. Community Recreation: General
D. Community Recreation: Property Owners Association
E. Community Recreation: Restricted
F. Cultural Exhibits
G. Library Services and Community Centers
H. Low Impact Institutional: Neighborhood Related
I. Medical Services: General
J. Medical Services: Restricted
K. Personal Services: Restricted
L. Public Service or Utility: Light
M. Public Service or Utility: Moderate
N. Research Services

SECTION A-424.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provisions contained in this Planning and Zoning Ordinance.

A. Building Maintenance Services
B. Child Care Center
C. Communication Services: Limited
D. Health Clubs
E. Mining and Processing: Oil and Gas
F. Moderate Impact Institutional
G. Personal Services: General

SECTION A-424.2 DEVELOPMENT REGULATIONS

SECTION A-424.2.1 MINIMUM AREA FOR A CHANGE IN ZONING DISTRICT:

Twelve thousand (12,000) square feet.

SECTION A-424.2.2 MINIMUM FRONTAGE FOR A CHANGE IN ZONING DISTRICT

One hundred (100) feet. The measurement shall be along the front property line. Only one (1) side shall be considered the front.

SECTION A-424.3 SITE DESIGN REQUIREMENTS

A. Height: No building or structure shall exceed forty-five (45) feet in height except as otherwise provided in section A-485 of this Planning and Zoning Ordinance, unless it is set back from side and rear lot lines an additional one (1) foot for each two (2) feet that the building height exceeds forty-five (45) feet.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet measured from the front property line.

C. Side Yard: Minimum building setback shall be as follows:
   1. Abutting a commercial or industrial district with a common wall - zero (0) feet.
   2. Abutting a commercial or industrial district without a common wall - five (5) feet.
   3. Abutting a residential district without parking or driveways in the side yard - ten (10) feet.
   4. Abutting a residential district with a driveway or parking in the side yard - fifteen (15) feet. The driveway or parking lot must be at least ten (10) feet away from the residential district.
   5. Exterior lot line abutting an arterial street – twenty-five (25) feet.
   6. All other exterior lots - fifteen (15) feet.

D. Rear Yard: None, except where a platted building line exists or as follows:
   1. Abutting a residential district - ten (10) feet.
   2. If the building is to be serviced from the rear there shall be provided an alleyway, service court, rear yard, or combination thereof of not less than thirty (30) feet. The thirty (30) feet cannot be used or counted for parking space. It shall be used for deliveries only. No portion of the alleyway or service court which is paved shall be located within fifteen (15) feet of any residential district.

E. Coverage: Main and accessory buildings shall not cover more than fifty (50) percent of the lot area. Main and accessory buildings and off-street parking and loading facilities shall not cover more than ninety (90) percent of the lot area. At least ten (10) percent of the lot (not including right-of-way) shall be green open space.

SECTION A-424.4 SCREENING AND LANDSCAPING REQUIREMENTS

Property abutting a residential district shall be screened and landscaped in accordance with all the provisions of section A-465 of this Planning and Zoning Ordinance pertaining to screening and landscaping. In addition, property not adjacent to a residential district shall be landscaped in accordance with the provisions of Section A-465 of this Planning and Zoning Ordinance.

SECTION A-424.5 OFF-STREET PARKING, LOADING, AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with the regulations established in Section A-470 of this Planning and Zoning Ordinance.

SECTION A-424.6 SITE PLAN

A site plan shall be developed in accordance with the provisions contained in this Planning and Zoning Ordinance and show the required landscaping.

LIGHT AND MODERATE INDUSTRIAL (I-1)

SECTION A-425 GENERAL DESCRIPTION

This industrial district is intended primarily for the conduct of light manufacturing, assembling, and fabrication, and for warehousing, wholesale, and service uses which may generate relatively low levels of noise, odor, smoke, dust, or intense light. Industrial uses permitted may require good accessibility to air, rail or street transportation routes, but do not depend heavily on frequent personal visits of customers or clients. Provision is also made for outdoor operations and storage.

SECTION A-425.1 DISTRICT USE REGULATIONS

SECTION A-425.1.1 USES PERMITTED BY RIGHT

Property and buildings in the I-1 (Light and Moderate Industrial) District shall be used only for the following purposes:

A. Administrative and Professional Office
B. Adult Entertainment/Retail-Rental
C. Agricultural Processing: General
D. Agricultural Processing: Limited
E. Agricultural Supplies and Services
F. Animal Sales and Services: Kennels and Veterinary, General
G. Animal Sales and Services: Kennels and Veterinary, Restricted
H. Automotive and Equipment: Heavy
I. Automotive and Equipment: Light
J. Automotive and Equipment: Storage
K. Automotive Sales and Rentals: Light
L. Body Piercing and Tattoo Facilities
M. Building Maintenance Services
N. Business Support Services
O. Communications Services: Limited
P. Construction Sales and Services
Q. Cultural Exhibits
R. Custom Manufacturing
S. Eating Establishments: Drive-In
T. Eating Establishments: Fast Foods
U. Eating Establishments: Sit-Down, Alcohol Not Permitted
V. Funeral and Internment Services: Cremating
W. Gasoline Sales: General
X. Gasoline Sales: Restricted
Y. Health Clubs
Z. Horticulture
AA. Laundry Services
BB. Light Industrial
CC. Light Industrial: Restricted
DD. Manufactured Housing and Travel Trailers: Sales and Services
EE. Moderate Industrial

FF. Pawnshops and Secondhand Stores
GG. Personal Services: General
HH. Public Service or Utility: Light
II. Public Service or Utility: Moderate
JJ. Repair Services: General
KK. Research Services
LL. Signs: On-Accessory
MM. Tourist Accommodations: Lodging
NN. Transportation Facilities: Freight, Restricted
OO. Transportation Facilities: Passenger
PP. Wholesaling, Storage and Distribution: Restricted

SECTION A-425.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provisions contained in this Planning and Zoning Ordinance.

A. Child Care Center
B. Communications Services: Towers
C. Drinking Establishments: Sit-Down, Alcohol Permitted
D. Eating Establishments: Sit-Down, Alcohol Permitted
E. Mining and Processing: Oil and Gas
F. Personal Storage
G. Retail Sales and Services: Outdoor Swap Meets
H. Sign: Non-Accessory
I. Sign: Non-Accessory - Electronic
J. Wholesaling, Storage, and Distribution: General

SECTION A-425.2 DEVELOPMENT REGULATIONS

SECTION A-425.2.1 MINIMUM AREA FOR A CHANGE IN ZONING DISTRICT

None

SECTION A-425.2.2 MINIMUM FRONTAGE FOR A CHANGE IN ZONING DISTRICT

One hundred (100) feet, if fronting onto an arterial street, none if along a collector or local street. The measurement shall be along the front property line. Only one (1) side shall be considered the front.

SECTION A-425.3 SITE DESIGN REQUIREMENTS

A. Height: No restrictions, unless there is a residential zoning district (U-R, R-1-D, R-1-A, R-2, R-3, R-4, RM-1 or RM-2) within one hundred fifty (150) feet of the proposed building, where upon the building height shall be limited as follows:
   1. For the first seventy-five (75) feet of distance from said zoning district boundary, building height shall not exceed thirty-five (35) feet;

   2. From seventy-five (75) feet of distance from said zoning district boundary, building height may be increased above thirty-five (35) feet to a maximum

height of six (6) stories within a diagonal line representing two feet of additional building setback for every one (1) foot of additional height.

3. For the balance of the parcel, building height may be increased above six (6) stories within a diagonal line representing one foot (1) of additional building setback for every two (2) feet of additional height.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet, measured from the front property line.

C. Side Yard: Minimum building setback shall be as follows:

1. Abutting a commercial or industrial district with a common wall - zero (0) feet.

2. Abutting a commercial or industrial district without a common wall - five (5) feet.

3. Abutting a residential district with no parking or driveways in the side yard - ten (10) feet.

4. Abutting a residential district with a driveway or parking in the side yard - fifteen (15) feet. The driveway or parking lot must be at least ten (10) feet away from the residential district.

5. Exterior lot line abutting an arterial street - twenty-five (25) feet.

6. All other exterior lots - fifteen (15) feet.

D. Rear Yard: None, except where a platted building line exists or as follows:

1. Abutting a residential district - ten (10) feet.

2. If the building is to be serviced from the rear there shall be provided an alleyway, service court, rear yard or combination thereof of not less than thirty (30) feet. The thirty feet cannot be used or counted for parking spaces, and shall be used for deliveries only. No portion of the alleyway or service court that is paved shall be located within fifteen (15) feet of any residential district.

SECTION A-425.4 SCREENING AND LANDSCAPING REQUIREMENTS

Property abutting a residential district shall be screened and landscaped in accordance with the provisions of section A-465 of this Planning and Zoning Ordinance pertaining to screening and landscaping.

SECTION A-425.5 OFF-STREET PARKING, LOADING, AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with the regulations established in Section A-470 of this Planning and Zoning Ordinance.

SECTION A-425.6 SITE PLAN

A site plan shall be developed in accordance with the provisions contained in this Planning and Zoning Ordinance.

HEAVY INDUSTRIAL (I-2)

SECTION A-426 GENERAL DESCRIPTION

This industrial district is intended to provide locations for those industrial uses which may generate relatively high levels of noise, vibrations, smoke, odor, dust, or light. The industrial uses permitted in this district are generally incompatible with residential uses. For this reason, it is desirable that they be located down wind and as far away as possible from residential, office, and most commercial uses.

SECTION A-426.1 DISTRICT USE REGULATIONS

SECTION A-426.1.1 USES PERMITTED BY RIGHT

Property and buildings in the I-2 (Heavy Industrial) District shall be used only for the following purposes:

A. Accessory-Accessory
B. Administrative and Professional Office
C. Adult Entertainment/Retail-Rental
D. Agricultural Processing: General
E. Agricultural Processing: Limited
F. Agricultural Supplies and Services
G. Animal Sales and Services: Kennels and Veterinary, General
H. Animal Sales and Services: Kennels and Veterinary, Restricted
I. Automotive and Equipment Sales and Rentals: Heavy
J. Automotive and Equipment: Heavy
K. Automotive and Equipment: Light
L. Automotive and Equipment: Storage
M. Automotive Sales and Rentals: Light
N. Body Piercing and Tattoo Facilities
O. Building Maintenance Services
P. Business Support Services
Q. Communication Services: Limited
R. Construction Sales and Services
S. Customer Manufacturing
T. Eating Establishments: Sit-Down, Alcohol Not Permitted
U. Eating Establishments: Drive In
V. Eating Establishments: Fast Foods
W. Funeral and Internment Services: Cremating
X. Gasoline Sales: General
Y. Gasoline Sales: Restricted
Z. Health Clubs
AA. Heavy Industrial
BB. Horticulture
CC. Laundry Services
DD. Light Industrial
EE. Light Industrial: Restricted
FF. Manufactured Housing and Travel Trailers: Sales and Rentals
GG. Moderate Industrial

HH. Pawnshops and Secondhand Stores
II. Personal Services: General
JJ. Personal Storage
KK. Public Service or Utility: Light
LL. Public Service or Utility: Moderate
MM. Repair Services: Consumer
NN. Research Services
OO. Tourist Accommodations: Lodging
PP. Transportation Facilities: Freight, General
QQ. Transportation Facilities: Freight, Restricted
RR. Transportation Facilities: Passenger
SS. Wholesaling, Storage and Distribution: General
TT. Wholesaling, Storage and Distribution: Restricted

SECTION A-426.1.2 SPECIAL USE PERMITS

The following uses may be permitted on review in accordance with provisions contained in this Planning and Zoning Ordinance.

A. Animal Waste Processing
B. Child Care Center
C. Communications Services: Towers
D. Drinking Establishments: Sit-Down, Alcohol Permitted
E. Eating Establishments: Sit-Down, Alcohol Permitted
F. Hazardous Industrial
G. Mining and Processing: Minerals and Raw Materials
H. Mining and Processing: Oil and Gas
I. Public Service or Utility: Heavy
J. Retail Sales and Services: Outdoor Swap Meets
K. Scrap Operations
L. Transportation Facilities: Aircraft

SECTION A-426.3 DEVELOPMENT REGULATIONS

SECTION A-426.3.1 MINIMUM AREA FOR A CHANGE IN ZONING DISTRICT

None

SECTION A-426.3.2 MINIMUM FRONTAGE FOR A CHANGE IN ZONING DISTRICT

One hundred (100) feet, if fronting onto an arterial street, none if along a collector or local street. The measurement shall be along the front property line. Only one (1) side shall be considered the front.

SECTION A-426.3.3 SITE DESIGN REQUIREMENTS

A. Height: No restrictions, unless there is a residential zoning district (U-R, R-1-D, R-1-A, R-2, R-3, R-4, RM-l or RM-2) within one hundred fifty (150) feet of the proposed building, where upon the building height shall be limited as follows:

1. For the first seventy-five (75) feet of distance from said zoning district boundary, building height shall not exceed thirty-five (35) feet;

2. From seventy-five (75) to one hundred fifty (150) feet of distance from said zoning district boundary, building height may be increased above thirty-five (35) feet to a maximum height of six (6) stories within a diagonal line representing two feet of additional building setback for every one (1) foot of additional height.

3. For the balance of the parcel, building height may be increased additional building setback for every two (2) feet of additional height.

B. Front Yard: The minimum depth of the front yard shall be twenty-five (25) feet, measured from the front property line.

C. Side Yard: Minimum building setback shall be as follows:

D. Rear Yard:

1. Abutting a commercial or industrial district with a common wall - zero (0) feet.

2. Abutting a commercial or industrial district without a common wall - five (5) feet.

3. Abutting a residential district with no parking or driveways in the side yard

4. Ten (10) feet.

5. Abutting a residential district with a driveway or parking in the side yard - fifteen (15) feet. The driveway or parking lot must be at least ten (10) feet away from the residential district.

6. Exterior lot line abutting an arterial street - twenty-five (25) feet.

7. All other exterior lots - fifteen (15) feet.

E. Rear Yard: None, except where a platted building line exists or as follows:

1. Abutting a residential district - ten (10) feet.

2. If the building is to be serviced from the rear there shall be provided an alleyway, service court, rear yard or combination thereof of not less than thirty (30) feet. The thirty feet cannot be used or counted for parking spaces. It shall be used for deliveries only. No portion of any alleyway or service court that is paved shall be located within fifteen (15) feet of any residential property.

SECTION A-426.4 SCREENING AND LANDSCAPING REQUIREMENTS

Property abutting a residential district shall be screened and landscaped in accordance with the provisions of section A-465 of this Planning and Zoning Ordinance pertaining to landscaping and screening.

SECTION A-426.5 OFF-STREET PARKING, LOADING, AND ACCESS

All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with the regulations established in Section A-470 of this Planning and Zoning Ordinance.

SECTION A-426.6 SITE PLAN

A site plan shall be developed in accordance with the provisions contained in this Planning and Zoning Ordinance.

OVERLAY DISTRICTS

SECTION A-430 AIRPORT OVERLAY DISTRICT

SECTION A-430.1 AUTHORITY

This article is adopted pursuant to the authority conferred by Title 3 O.S. 1972 Section103.

SECTION A-430.2 DECLARATION

It is hereby determined that airport hazards, obstruction, and excessive noise levels endanger the life, health, safety, and property of user of Tinker Air Force Base and of occupants of land in the vicinity, and also if the obstruction types, in effect reduce the size of the area available for landing, taking-off and maneuvering of aircraft thus ending to destroy or impair the utility of airports and the public investment therein. Accordingly, it is declared:

A. The creation or establishment of an obstruction in an airport zone as set forth herein below is a public nuisance and an injury to the region served by Tinker Air Force Base;

B. In the interest of the public health, safety and general welfare of the inhabitants of the state of Oklahoma that the creation or establishment of obstructions or airport hazards should be prevented to alleviate the destruction of impairment of the utility of the airport and the public investment therein;

C. The prevention of hazards should be accomplished, to the extent legally possible, by the exercise of the public power without compensation;

D. Both the prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which political subdivision may raise and expend public funds and acquire land or interest in land.

SECTION A-430.3 SHORT TITLE

This ordinance shall be known and may be cited at “Tinker Air Force Base Zoning Ordinance.”

SECTION A-430.4 DEFINITIONS

As used in this ordinance unless the context otherwise requires:

1. *Accident Potential Zone* (APZ). Is based on past Air Force aircraft accidents and installation operational data. It is less critical than the Clear Zone but still possesses a significant risk factor. For Runway 12/30, this zone is an area beginning at the end of the Clear Zone and is three thousand (3,000) feet in width and five thousand (5,000) feet in length.

2. *Airfield Environs Zone* are zones at the end of each runway as designated on the official “Air Installation Compatible Use Zone” Map for Tinker Air Force Base.

3. *Airport* means Tinker Air Force Base, Oklahoma.

4. *Airport Elevation* means the established elevation of the highest point on the usable landing area of Runway 12/30 is one thousand two hundred fifty (1,250) feet MSL (mean sea level).

5. *Airport Hazard* means any structure; tree of use of land which obstructs the air space required for or is otherwise hazardous to the flight of aircraft in landing or taking off at the airport.

6. *Airport Reference Point* means the point established as the approximate geographic center of the airport landing area and is established at a location described as follows: Two thousand eight hundred thirty (2,830) feet east and three thousand five hundred ten (3,510) feet south of the northwest corner of Section 23, Township Eleven (11) North, Range Two (2) West, latitude 35 degrees 24' and longitude 97 degree 22'.

   6.1 *Basemen*t shall mean that part of a building that is wholly or partly below ground level.

7. *Board of Adjustment* means a board created by the Council of the City of Del City, in Zoning Ordinance Number 1180, Appendix A, in the Del City Code of Ordinances.

   7.1 *Community Services Director* is a person or entity chosen or appointed to manage, direct or administer the Planning and Zoning Ordinance of the City of Del City.

8. *Clear Zone* is established for each runway. For Runway 12/30 the clear zone has a width of two thousand (2,000) feet and a length of three thousand (3,000) feet beginning at the end of the runway.

9. *Compatible Use District (CUD)* is an area in the airfield environs which possess similar characteristics as to noise levels and accident potential and is the building block for compatible land use.

   9.1 *Density* shall mean the number of individuals or persons per acre during a given time period. The density requirements for Runway 12/30 shall comply with the provisions of Table 1 Land Use Compatibility Guidelines.

10. *Height* for the purpose of determining the height limits in all zones; the daturn shall be mean sea level (MSL) elevation unless otherwise specified.

11. *Instrument Runway* means a runway equipped or to be equipped with electronic or visual air navigation aids adequate to permit the landing of aircraft under restricted visibility conditions.

12. *Landing Area* means the area of the airport used for the landing, takeoff or taxiing of the aircraft.

    12.1 *Mezzanine* shall be described as an intermediate level or levels between the floor and the ceiling of any story with an aggregate floor are of not more than one-third of the area of the room in which the level or levels are located.

13. *Noise Zones* consist of day-night average sound level (LDN) system to depict the noise environment. Land use guidelines are based on the compatibility of various land uses with noise exposure levels.

14. *Nonconforming Use* means any structure, tree, or use of land which is lawfully in existence at the time regulation is prescribed in the ordinance or an amendment thereto becomes effective and does not then meet the requirements of said regulations.

15. *Noninstrument (visual) Runway* means a runway other than instrument runway.

15.1 *Occupancy* shall mean the act of taking and holding possession of any or all parts thereof.

16. *Person* means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

17. *Runway* means the paved surface for landing and take-off of aircraft along its length.

18. *Structure* means an object constructed or installed by man, including but without limitation, buildings, towers, smokestacks, and overhead transmission lines.

19. *Tree* means any object of natural growth.

SECTION A-430.5 FLIGHT APPROACH ZONES

In order to carry out the provisions of this article (ordinance), there are hereby created and established certain zoned (zones) which include all of the land lying within the instrument approach zones, noninstrument approach zones, and transition zones, horizontal zoned and conical zone. The various zones are hereby established and defined as follows:

1. ***Instrument Approach Zone***. An instrument approach zone is established at the end of the instrument runway for instrument landings and take-offs. The instrument approach zones shall have a width of two thousand (2,000) feet at a distance of one thousand (1,000) feet beyond the end of the runway, widening thereafter uniformly to a width of sixteen thousand (16,000) feet at a distance of fifty thousand two hundred (50,200) feet beyond the end of the runway, its centerline being the continuation of the centerline of the runway.

2. ***Noninstrument Approach Zone***. A noninstrument approach zone is established at the end of all noninstrument runways on Tinker Air Force Base for noninstrument landings and take-offs. The noninstrument approach zone shall have a width of two thousand (2,000) feet at a distance of two hundred (200) feet beyond the end of the runway, widening thereafter uniformly to a width of six thousand (6,000) feet at a distance of fifteen thousand two hundred (15,200) feet beyond the end of the runway, its centerline being the continuation of the centerline of the runway.

3. ***Transition zones***. Transition zones are hereby established adjacent to each instrument and noninstrument runway and approach zone. Transition zones symmetrically located on either side of runways have variable widths. Transition zones extend outward from a line one thousand (1,000) feet on either side of thecventerline of the noninstrument runway for the length of such runway plus two hundred (200) feet on the end; and one thousand (1,000) feet on either side of the centerline of the instrument runway for length of such runways plus one thousand (1,000) feet on the end, and are parallel and level with such runway centerlines. The transition zones along the runway slopes upward and horizontally to the point where they intersect the surface of the horizontal zone. Further, transition zones are established adjacent to both instrument and noninstrument approach zones for the entire length of the approach zones. The transition zones have variable widths. Such transition zones flare symmetrically with either side of the runway approach zones from the base of such zones and slop upward and outward at the rate of one (1) foot vertically for each seven (7) feet horizontally to the points where they intersect the surfaces of the horizontal and conical zones. Additionally, transition zones are established adjacent to the instrument approach zone where it projects through and beyond the limits of

the conical zone, extending a distance of five thousand (5,000) feet measured horizontally from the edge of the instrument approach zones at right angles to the continuation of the centerline of the runway.

4. ***Horizontal zone***. A horizontal zone is hereby established as the area within a circle with its center at the airport reference point and having a radius of thirteen thousand (13,000) feet. The horizontal zone does not include the instrument and noninstrument approach zones and the transition zones.

5. ***Conical zones***. A conical zone is hereby established commencing at the periphery of the horizontal zone and extending a distance of twenty thousand (20,000) feet from the airport reference point. The conical zone does not include the instrument and noninstrument approach zones and transition zones.

SECTION A-430.6 HEIGHT LIMITATIONS

Except as otherwise provided in this ordinance, no structure or tree shall be erected, altered, allowed to grow, or maintained in any zone created by this article to a height in excess of the height limit herein established for such zone. Such height limitations are computed from elevations hereby established for each of the zones in question as follows:

1. *Transition Zone*. One (1) foot in height for each seven (7) feet in horizontal distance beginning at a point one thousand (1,000) feet from the centerline of non-instrument runways and one thousand (1,000) feet from the centerline of the instrument runways, measured at right angles to the longitudinal centerline of the runway, extending upward to a maximum height of one hundred fifty (150) feet above the established airport elevation which is one thousand two hundred ninety-one (1,291) feet above mean sea level (MSL). In addition to the foregoing, there are established height limits of one (1) foot vertical height for each seven (7) feet horizontal distance (measured from the edges of all approach zones) for the entire length of the approach zones and extending upward and outward to the points where they intersect the horizontal and conical surfaces. Further, where the instrument approach zone projects through and beyond the conical zone, a height limit of one (1) foot for each seven (7) feet of horizontal distance shall be maintained beginning at the edge of the instrument approach zone and extending a distance of five thousand (5,000) feet from the edge of the instrument approach zone measured at right angles to the continuation of the centerline of the runway.

2. *Horizontal Zone*. One hundred fifty (150) feet above the established airport elevation or a maximum height of one thousand four hundred forty-one (1,441) feet above mean sea level elevation.

3. *Conical Zone*. One (1) foot in height for each twenty (20) feet of horizontal distance beginning at the periphery of the horizontal zone and measured in an inclined plane passing through the airport reference point.

Where an area is covered by more than one height limitation, the more restrictive limitation shall prevail.

SECTION A-430.7 AIRPORT ENVIRONS ZONE

Airport Environs Zone is concerned with three primary operations/land use determinants: (1.) accident potential to land users, (2.) aircraft noise, and (3) hazards to operations from land uses (height, obstructions, etc.). Airfield Environs Zones exist at the end of the runway as designated on the official "Air Installation Compatible Use Zone" Map for Tinker Air Force Base, which is made as a part of this ordinance. These zones consist of the following:

A. *Accident Potential Zones*.

1. *Clear Zone*. Within the clear zone area, the overall risk is so high that the necessary land use restrictions would prohibit reasonable use of the land.

2. *Accident potential zone* is less critical than the clear zone but still possesses a significant risk factor. These areas as defines herein have land use compatibility guidelines, which are sufficiently flexible to allow reasonable economic use of the land.

B. ***Noise Zones***. This zone is based upon two (2) different types of noise measures-one to measure the noise of individual noise events (individual aircraft flyover) and noise environment from a complex of noise events (total noise effect of aircraft operations at an air base). The noise contour consists of the day-night average sound level (LDN) system, as described in the Air Installation Compatible Use Zone Study, January, 1976, amended September, 1977, and depict the noise environment. The noise contours consist of the day-night average sound level (LDN). Land use guidelines are based on the compatibility of various land uses with sound levels (LDN).

C. ***Height, Obstructions, and Other Considerations***. Without criteria on height and obstructions in the vicinity of the airfields, there is a possibility that uses could be permitted, which would endanger safe aircraft operations. The land area outlined in the flight approach zones should be regulated to prevent usages, which might otherwise be hazardous to aircraft operations. Notwithstanding any other provisions of this ordinance, no use shall be made of land within any zone established by this ordinance in such a manner to:

1. Release into the air any substance which would impair visibility or otherwise interfere with the operation of aircraft, e.g., steam, dust, smoke;

2. Produce light emissions, either direct or indirect (reflective), which would interfere with pilot vision.

3. Produce emission which would interfere with aircraft communication systems or navigational equipment;

4. Attract birds or waterfowl, such as but not limited to operation of sanitary landfills, maintenance of feeding stations, or the procuring of certain vegetables;

5. Introduce any use which would endanger the landing, taking-off, or maneuvering of aircraft; and/or

6. Allow for rifle ranges, public or private, or private aircraft landing fields, which would interfere with the safe use by aircraft of the airports.

SECTION A-430.8 LAND USE COMPATIBLE DISTRICTS

The Air Installation Compatible Use Zone Study designated an accident potential zone (APZ) and noise zones and provides for land use compatibility guidelines for these zones. The compatible use districts reflect effects of noise, flight tracks, altitudes and accident potential and is the basic building block for compatible land use. For purposes of this ordinance, there are five (5) possible CUDs which apply to Tinker Air Force Base Air Installation Compatible Use Study.

The compatible use zones are shown separately from the runway on official land maps and aerial photographs. These maps are on file in the office of the City Clerk and are made a part thereof, by reference.

No material change shall be made in the use of the land and no structure or tree (natural growth) shall be erected, altered, planted or otherwise established in a compatible use district hereby created, unless it is compatible and a permit thereof has been applied for and granted. Table 1, "Land Use Compatibility" is hereby made a part of this ordinance and shall be used by the City in determining whether a permit will be granted.

SECTION A-430.9 ENFORCEMENT AND ADMINISTRATION

A. *Director of Community Services and Planning Department*. Except as otherwise provided herein, the director of the Community Services and planning department, or his authorized representative, is hereby designated administrative officer. It shall be the duty of the administrative officer to administer and enforce the provisions of this ordinance.

B. *Application for Permits and Variances*. Applications for permits and variances shall be made to the administrative officer upon a form furnished by him. Applications required by this ordinance to be submitted to the administrative officer shall be promptly considered and granted or denied by him.

C. *Administrative Officer to Transmit Applications to Board of Adjustment*. Application for action by the Board of Adjustment shall be forthwith transmitted by the administrative officer.

D. *The Modifications to the Ordinance*. The administrative officer is to provide modifications to this ordinance, including new data from Tinker Air Force Base on noise levels and accident potentials, as it affects the compatible use districts.

SECTION A-430.10 NONCONFORMING USES

A. *Regulations Not Retroactive*. The regulations prescribed by this ordinance shall not be construed to require the removal, lowering, or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of this ordinance, or otherwise interfere with the continuance of any nonconforming use. Nothing herein contained shall require any change in the construct8ion, alteration, or intended use of any structure, the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this ordinance, and is diligently prosecuted.

B. *Marking and Lighting*. Notwithstanding the preceding provisions of this section, the owner of any nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the base engineer to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of Tinker Air Force Base, Oklahoma.

C. *Increasing Hazard of Non-Conforming Use Prohibited*. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use or natural object to expand or to be made or become higher, or become a greater hazard to air navigation than it was on the effective date of this ordinance, or any amendment there to of than it was when the application for permit was made. A building use may be changed to a conforming use. However, the use shall not be changed to a less restricted use. Nonconforming buildings or structures with conforming uses may be expanded as provided for in Table 1, Land Use Compatibility Guidelines, Footnote (3)(a).

D. *Abandonment or Destruction of Non-Conforming Use*. No permit shall be granted that allows a structure or natural object to exceed the applicable height limit or otherwise deviate from the provisions of this ordinance or the zoning regulations if the administrative officer or other designated authority has determined that the nonconforming structure or natural object has been abandoned for more than two (2) years, more than eighty (80) percent torn down, physically deteriorated or decayed.

SECTION A-430.11 BUILDING PERMIT REQUIRED

A. *Permit Required for New Uses*. Except as specifically provided by this ordinance, no material change shall be made in the use of the land and no structure shall be erected, altered or otherwise established in any zone hereby created, unless a permit is obtained indicating the purpose for which the permit is desired, with sufficient detail to determine whether the resulting use would conform to the provisions of this ordinance.

B. *Existing Uses*. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation, than it was on the effective date of this ordinance or any amendments thereto or than it is when the application for permit is made. Except as indicated, all applications for such permit shall be granted.

C. *Variances*. Any person desiring to erect or increase the height of any structure or tree, or permit the growth of any tree, or use his property, not in accordance with the regulations prescribed in this ordinance, may apply to the Board of Adjustment for a variance from such regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but will do substantial justice and be in accordance with the spirit of this ordinance.

D. *Hazard Marking and Lighting.* Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in questions to permit Tinker Air Force Base as its own expense to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

SECTION A-430.12 BOARD OF ADJUSTMENT

A. The Board of Adjustment referred to in this ordinance shall be the Board of Adjustment established and created by the Zoning Ordinance of the City of Del City, same being Ordinance Number 1180, Appendix A of the Del City Code of Ordinances.

B. The Board of Adjustment shall adopt rules for its governance and procedure in harmony with the provisions of this ordinance. Meetings of the Board of Adjustment shall be held at the call of the chairman and at such other times as the Board of Adjustment may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All hearings 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 immediately be filed in the office of the administrative officer and shall be a public record.

C. The Board of Adjustment shall make written findings of fact and conclusions of law giving the facts upon which it acted and its legal conclusions form such facts in reversing, affirming, or modifying any order, requirement, decision, or determination which comes before it under the provisions of this ordinance.

D. The concurring vote of a majority of the members of the Board of Adjustment shall be sufficient to reverse any order, requirement, decision, or determination of the administrative officer or decide in favor of the applicant on any matter upon which it is required to pass under this ordinance or to the effect any variation in this ordinance.

SECTION A-430.13 APPEALS

A. Any person aggrieved, or any taxpayer affected, by any decision of the administrative officer made in the administration of this ordinance, if of the opinion that a decision of the administrative officer is an improper application of these regulations, may appeal to the Board of Adjustment.

B. All appeals hereunder must be taken within thirty (30) days after the decision as provided by the rules of the Board of Adjustment, by filing with the administrative officer a notice of appeal specifying the grounds thereof. The administrative agency shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appeals from was taken.

C. An appeal shall stay all proceedings in furtherance of the action appeals from, unless the administrative officer certifies to the Board of Adjustment after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in his

opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board of Adjustment on notice to the agency from which the appeal is taken and on due cause shown.

D. The Board of Adjustment shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

E. The Board of Adjustment may, in conformity with the provisions of this ordinance, reverse or affirm in whole or in part, or modify the order, requirement, decision, or determination, as may be appropriate under the circumstances.

SECTION A-430.14 JUDICIAL REVIEW

Any person aggrieved, or any taxpayer affected, by any decision of the Board of Adjustment, may appeal to the County Court as provided by law.

SECTION A-430.15 PENALTIES

Any violation of this ordinance or of any regulation, order or ruling promulgated hereunder shall constitute an offense and be punishable by a fine of not more than one hundred ($100.00) dollars including costs, and each day a violation continues to exist shall constitute a separate offense.

SECTION A-430.16 CONFLICTING REGULATIONS

Where there exists conflict between any of the regulations or limitations prescribed in this ordinance and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail.

TABLE A-430.1

LAND USE COMPATIBILITY GUIDELINES

All rezoning requests shall be made pursuant to Appendix A, Chapter 8 of the Del City Zoning Ordinance shall not apply to any Planned Unit Developments approved prior to the effective date of this ordinance.

All uses and structures shall conform with the provisions contained in Footnotes 8, 9, and 10.

All subdivision, zoning or building permit requests within the Accident Potential Zone One for runway Number 12/30 of Tinker Air Force Base shall grant an aviation easement to the City of Del City as a condition of subdivision, zoning or building permit approval. This easement shall hold the City, public and Tinker Air Force Base harmless from any damages caused by noise, vibration, fumes, dust, fuel particles, or other effects that may be caused by the operation of aircraft taking off, landing, or operating on or near Tinker Air Force Base, not including the physical impact of aircraft or parts thereof. Aviation easements shall be submitted on easement forms provided by the City of Del City.

	COMPATIBLE USE DISTRICTS			
	2 APZ 1 Ldn 89-85	3 APZ 1 Ldn 75-80	4 APZ 1 Ldn 70-75	5 APZ 1 Ldn 65-70
LAND USE CATEGORY RESIDENTIAL				
Single-Family Detached	Y [2]	Y [2]	Y [2]	Y [2]
Two-family Dwelling	N	N	N	N
Multi-family Dwelling	N	N	N	N
Group Quarters	N	N	N	N
Mobile Home Parks or Courts	N	N	N	N
MANUFACTURING				
Food and Kindred Product	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Textiles and Apparel	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Transportation Equipment	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Lumber and Wood Products	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Furniture and Fixtures	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Paper and Allied Products	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Printing and Publishing	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Chemical and Allied Products	N	N	N	N
Petroleum Refining	N	N	N	N
Rubber and Plastic	N	N	N	N
Stone, Clay and Glass	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Primary and Fabricated Metal	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Electrical and Electronics	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Miscellaneous Manufacturing	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]

	COMPATIBLE USE DISTRICTS			
	2 APZ 1 Ldn 89-85	3 APZ 1 Ldn 75-80	4 APZ 1 Ldn 70-75	5 APZ 1 Ldn 65-70
Industrial &Commercial Machinery & Computer Equipment	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Measuring, Analyzing, Controlling Instruments; photographic, medical & optical goods; watches & clocks	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
TRANSPORTATION, COMMUNICATION AND UTILITIES				
Local and Suburban Transit & Interurban Highway Passenger Transportation, Excluding Passenger Terminal	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Motor Freight Transportation and Warehousing	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Transporting Services	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Communication	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Landfills and Hazardous Waste	N	N	N	N
Electric, Gas, Water and Sewer Plants	N	N	N	N
Parking Lots	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
TRADE, BUSINESS, OFFICE AND SERVICES				
Wholesale trade and Distribution	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Warehousing and Storage	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Retail Trade- General	N	N	N	N
Service Station	N	N	N	N
Eating and Drinking	N	N	N	N
Hotels, Motels, Campgrounds	N	N	N	N
Repair Services	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Personal Services	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Business Services	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Depository Institutions	N	N	N	N
Business Parks[12]	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Office Buildings	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Automotive, Marine Sales	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Real Estate, Legal, Insurance, Investment Services, and Non-Depository Credit Institutions	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Building, Heavy Trade and Special Trade Contractors	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Engineering, Accounting, Research, Management and related Services	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Member Organizations, Office Uses Only	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]

	COMPATIBLE USE DISTRICTS			
	2 APZ 1 Ldn 89-85	3 APZ 1 Ldn 75-80	4 APZ 1 Ldn 70-75	5 APZ 1 Ldn 65-70
SHOPPING CENTER				
Neighborhood	N	N	N	N
Community	N	N	N	N
Regional	N	N	N	N
PUBLIC AND QUASI-PUBLIC SERVICES				
Government Services	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Educational Services	N	N	N	N
Social Services	N	N	N	N
Health Services	N	N	N	N
Libraries, Museums and Art Galleries	N	N	N	N
Churches	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Cemeteries				
Jails and Detention Centers	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Child Care Centers (6 or More Children)	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
RECREATION				
Neighborhood Parks	N	N	N	N
Community-Wide and Regional Park	N	N	N	N
Riding Stables	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Gold Courses	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Open Space and Natural Areas	Y [7]	Y [7]	Y [7]	Y [7]
Water Areas	Y [7]	Y [7]	Y [7]	Y [7]
Indoor Amusement and Recreation Services	N	N	N	N
PUBLIC ASSEMBLY				
Motion Picture Theater, Single or Double	N	N	N	N
Motion Picture Theaters, Complex, 3 or More	N	N	N	N
Stadiums and Arenas	N	N	N	N
Auditoriums, Concert Halls, Amphitheaters	N	N	N	N
Fairgrounds, Amusement Parks	N	N	N	N
AGRICULTURE AND MINING				
Agriculture-Row Crops	Y [7]	Y [7]	Y [7]	Y [7]
Agriculture-Tree Crops	Y [7]	Y [7]	Y [7]	Y [7]
Agriculture-Intensive Livestock	Y [7]	Y [7]	Y [7]	Y [7]
Pasture and Grazing	Y	Y	Y	Y
Agriculture Services	Y [3,4]	Y [3,5]	Y [3,6]	Y [3]
Mining and Quarrying	Y [3,7]	Y [3,7]	Y [3,7]	Y [3,7]

FOOTNOTES

1. A "Y" meaning yes and "N" meaning no for compatible land use it to used only for gross comparison. The Compatible Land Use Districts Table is composed for the most part of general land use categories. The Community Services Director shall be responsible for deciding in which general land use category a specific land use should be assigned. The Community Services Director may use the 1987 Standard Industrial Classification Code in assisting in this determination. Appeals to a decision by the Community Services Director shall be made pursuant to Appendix A of the Del City Municipal Code.

2. Single-Family residential is a compatible land use only if the density is five (5) acres or more per single-family residence.

3. It is the purpose of this footnote to regulate the concentration of people. Through the Planned Unit Development process for all new zoning, the City will guide and regulate the development so as to avoid a concentration of buildings and person within a building. To accomplish this the City will:

   (1). Require the scattering of buildings across the development site when multiple buildings are planned;

   (2). Utilize the following density standards for Runway 12/30 as the maximum number of persons allowed in a building, however, work towards having fewer than those permitted under the density standards; and

In addition, where reasonably appropriate, the City may require the planting of trees, earth berms or other landscaping techniques to minimize the crash hazard to people on the ground from the aircraft.

Density Standards-12/30. For the Accident Potential Zone One (APZ-1) for Runway Number 12/30, uses are compatible only if they do not result in a gathering of individuals on a site that would result in an average density greater than twenty-five (25) persons per gross acre per hour during a twenty-four (24) hour period, not to exceed fifty (50) persons per acre at any time (see Exhibit 1). The site which is shown on the building permit application in gross acres (which includes building areas, parking, open space, easements and rights-of-way immediately abutting) shall be used to calculate the maximum density load for the building. The maximum density load shall include both employees and visitors. The maximum density load shall be shown on the approved building permit. In the event there may be multiple building tenants with multiple shifts in a building, the maximum building density load shall be calculated by prorating each tenant space against the land area shown on the building permit and applying the percentage derived therefrom to the table found in Exhibit 1. In determining the maximum density load, the following formulas shall be used:

(1). Square footage of the proposed building divided by two hundred sixty-five (265) square feet.

(2). The gross area in acres of the application multiplied by the maximum persons allowed per acre/during each hour based upon hours of operation as set forth in the table found in Exhibit 1.

The resulting products of (1) and (2) will be compared. The smaller of the products will establish the density.

Each building permit application shall designate the building site. Floor area coverage shall be determined by dividing the total square footage of the basement, mezzanine, and each story, by the total square footage of the lot. Floor area coverage of all existing and future buildings shall not occupy more than forty (40) percent of the site. No building may occupy a site greater than eleven and one-tenth (11.1) acres. In no case shall any building, with the exception of accessory structure or building additions, be less than ten thousand (10,000) square feet, nor shall any building exceed one hundred fifty thousand (150,000) square feet in total area. Land area used in a building permit application that affects the density requirements or forty (40) percent lot coverage requirements shall be accompanied by a legal notice filed in the Registrar of Deeds Office, County Court Building, State of Oklahoma. Said notice shall include a legal description of the property on which the building permit is being applied for and shall state "this property is being used as part of a building permit in conjunction with property located at (insert legal description) and shall not thereafter be used in conjunction with any other building permits which would alter the effects of the density requirements or forty (40) percent lot coverage." Land area used in a building permit may be used in another building permit unless such use would expand a nonconforming use or cause any of the involved properties to be placed in nonconformity with the existing regulations of Appendix A or B. A building shall be located on a site to create the maximum separation possible from other existing or permitted buildings by the use of greenbelts and parking lots and other space. The allowed fifty (50) persons per gross acre density cap may not be cumulative from one (1) building site to another.

The density standard provisions contained herein for Runway 12/30 shall apply except in the following situations:

(a) Buildings existing prior to the adoption of this Ordinance, may be expanded if: (1) the uses is a conforming use; (2) the total expansion of the building does not exceed twenty-five (25) percent of the original structure at existed at the adoptions of this Ordinance, and (3) the floor area coverage would not exceed forty (40) percent of the site. For sites with more than one (1) building, the twenty-five (25) percent expansion shall apply to the individual building. If a building permit has been issued to expand a building by less than twenty-five (25) percent, additional permits may be issued to expand up to but not to exceed twenty-five (25) percent of the original structure's square footage. All existing or future used of said building(s) shall remain a conforming use.

For buildings existing with conforming uses prior to the adoption of this Ordinance, an owner/applicant may apply to construct a new building and demolish an existing building. The new building may be constructed to replace the building to be demolished so long as the total square footage of the new building does not exceed a twenty-five (25) percent expansion of the original structure's square footage as existed at the adoption of this Ordinance and the floor area coverage does not exceed forty (40) percent of the site. For sites which have more than one (1) building located upon the same property, the twenty-five (25) percent expansion shall apply to the individual building(s). If additional lands are purchased in conjunction with the application to demolish an existing building(s) and construct a new building(s) the additional land shall be immediately adjacent to the subject site and shall not be used to: (1) increase the square footage of the new building(s) by more than twenty-five (25) percent of the original structure's square footage; (2) shall not be used to increase the density over what presently exists for the building(s); and (3) shall not allow any building(s) to be constructed nearer to the centerline of Runway 12/30 than the existing building(s) to be demolished are presently located. A complete demolition plan and schedule shall be

submitted with an application to construct a new building. All existing or future uses of said building(s) shall remain a conforming use.

(b) Structures being reconstructed under Section 10 Subparagraph (D) of this Appendix existing prior to the adoption of this Ordinance.

(c) Uses or structures existing prior to the adoption of this Ordinance that have been abandoned for less than two (2) years if the use has not changed.

No changes in the allowed densities may be made during the Planned Unit Development application process or at any later time unless this Appendix is first amended to allow a greater occupancy.

Certificate of Occupancy for Runway 12/30. All applications for certificates of occupancy shall be submitted by the owner of the affected building. For the APZ-1 of Runway 12/30, if there is a change in the hours of occupancy by the owner(s) or tenant of a building, then the building owner(s) or building manager shall submit occupancy information for the entire site, building, or buildings and a new maximum building density will be issued by the City. Whenever any building tenant(s) increase or decrease their number of employees, it shall be the responsibility of the building owner(s) or building manager to submit a letter specifying the new number of employees. The fee for establishing a maximum building density due to a change in the hours of operation is ten ($10.00) dollars. Any violation of the maximum building density requirements is a responsibility of the building owner(s), or building manager. Citations may be issued, without notice, to correct violations. Inspection to assure compliance with the Ordinance shall be undertaken by the City.

4. A Noise Level Reduction (NLR) of 35 dBL shall be incorporated into the design and construction of the portions of these buildings where the public is received, office areas or where the normal noise level is low.

5. A Noise Level Reduction (NLR) of 30 dBL shall be incorporated into the design and construction of portions of these buildings where the public is received, office areas or where the normal noise level is low.

6. A Noise Level Reduction (NLR) of 25 dBL shall be incorporated into the design and construction of portions of these buildings where the public is received, office areas or where the normal level is low.

7. Uses compatible only if they do not result in a possibility that a water area may cause ground for or result in a bird hazard.

8. No structure located within the areas of Del City regulated by Appendix A of the City Municipal Code shall exceed one (1) story in height. Any structure that exceeds one (1) story at the time of adoption of this Ordinance shall be allowed to remain. If said structure should be damaged by fifty (50) percent or more of its then fair market value, said structure may not be repaired but shall be removed. Reconstruction must be in conformance with Appendix A.

Mezzanines may be constructed. In addition to the floor area of the building, the floor area of the mezzanine shall be included within the forty (40) percent floor area coverage allowed for the site and shall be used in determining the total density.

Basements may be constructed. The floor area of the basement shall be included within the forty (40) percent floor area coverage allowed for the site and shall be used in determining the total density.

9. The following provisions dealing with storage of flammables shall apply to all new certificates of occupancy and shall apply to additions or enlargements only of existing structures located within areas regulated by Appendix A of the Del City Municipal Code. *Solid Materials.* (1) The storage or manufacture of flammable solid materials or products is permitted only if the flammable material or products are stored or manufactured within completely enclosed buildings having noncombustible exterior walls and protected throughout by an automatic fire extinguishing system. (2) The storage or manufacture of explosive materials and of materials or products which decompose by detonations is prohibited. *Liquid Materials.* (1) The manufacture of flammable or combustible liquids or materials which produce flammable or combustible vapors or gases is prohibited. (2) All above ground storage of flammable or combustible liquids or materials which produce flammable or combustible vapors or gases shall be in enclosed fireproof vaults. The requirement does not apply to liquids or materials used for single-family residences. (3) The storage of flammable and combustible liquids, or of materials that produce flammable or combustible vapors or gases, shall be permitted only in accordance with the Life Safety Code (NFPA No. 101-81) and the BOCA Basic Fire Prevention Code, 1987, as amended by the City of Del City.

10. The following provisions dealing with visual and electrical interference shall apply to all new certificates of occupancy and shall apply to additions or enlargements only of existing structures located within area regulated by Appendix A of the Del City Municipal Code: (a) The release into the air of any substance which would impair visibility or otherwise interfere with the operation of aircraft; e.g. steam, dust, smoke, etc., is prohibited. (b) The production of light emissions, either direct or indirect (reflective) which would interfere with pilot vision is prohibited. (c) The production of electrical emissions which would interfere with aircraft communications systems or navigational equipment is prohibited.

11. Shopping center shall mean a group of five (5) or more architecturally unified commercial establishments, managed as a unit, and with common off0street parking and vehicular access points. A neighborhood shopping center is less than eight (8) acres. A community shopping center is eight (8) to fifteen (15) acres. A regional shopping center is greater than fifteen (15) acres.

12. Business park is a development on a tract of land that contains a number of separate buildings, open space and supporting uses (may include research laboratories; prototype development, assemble, and fabrication; light manufacturing and assembly space; office and warehouse distribution facilities) all of which are planned, designed, built and managed on an integrated and coordinated basis. Uses in the business park must be consistent with Table A-430.1 Land Use Compatibility Guidelines.

EXHIBIT 1

CONCENTRATIONS OF PERSONS PER ACRE STANDARD

Uses are compatible if they do not result in a gathering of individuals in an area that would result in an average density of greater than twenty-five (25) persons per acre per hour during a twenty-four (24) hour period, not to exceed fifty (50) persons per acre at any time.

1. Average densities of persons per hour during a twenty-four-hour period are determined by calculating the number of persons per acre expected on a site, multiplying by the number of hours they will be on this site, and dividing the total by twenty-four (24).

   Example #1: One 8-hour shift of 30 workers on a one acre site
   30 persons expected x 8 hours on site = 240
   240/24 hours= average density of 10 persons per acre per hour during a 24-hour period.

   Example #2: Two 8-hour shifts of 30 workers on a one acre site
   30 persons expected x 16 hours on site = 480
   480/24 hours = average density of 20 persons per acre per hour during a 24-hour period.

2. The maximum number of persons allowed per acre per hour is calculated by dividing the number of hours persons will be on the site by twenty-four (24) hours, and then dividing twenty-five (25) persons per acre per hour by the result. The resulting number is the maximum number of persons allowed per acre per hour, provided it does not exceed fifty (50). Fifty (50) persons per acre at any one (1) time is the maximum number of persons allowed under the standard.

   Example: A use on one acre site has two 8-hour shifts.

   $$25 \frac{16 \text{ hours}}{24 \text{ hours}} = 37.5 \text{ maximum persons per acre per hour allowed}$$

   Application of this formula results in the following table which specifies the maximum persons per acre per hour for the duration of time that persons are expected to be on site during a twenty-four (24) -hour period.

Hours of Operation Per Day	*Maximum Persons Allowed Per Acre/During Each Hour*
24	25
23	26
22	27
21	28
20	30
19	31
18	33
17	35
16	37
15	40
14	42
13	46
12 or less	50

Note: Fractions in the maximum person allowed column are rounded to the lowest whole number.

*Concentrations of persons per acre cannot exceed fifty (50) persons per acre at any time.

SECTION A-435 FLOOD OVERLAY DISTRICT

The Flood Overlay District is a supplemental zoning district (sometimes called an "overlay district") in that it is an additional zoning district applied to flood prone properties. All properties within the Flood Overlay District will have a primary zoning classification applied to them; however, the additional regulations of the Flood Overlay District will also apply to them.

The Flood Overlay District is approximately shown on the Official Zoning Map, however, the detailed location of the Flood Overlay District is as shown on the most recent Floodplain Maps published by the Federal Emergency Management Agency (FEMA) for the City of Del City, Oklahoma County, Oklahoma, The Flood Overlay District is the area contained in the regulatory flood areas shown on the Flood Plain Maps for the City of Del City, Oklahoma County, Oklahoma.

The authorization of land uses in areas of special flood hazard must also be reviewed by the Flood Plain Manager or other person designated by the City Manager, to review Flood Plain Development Permits in accordance with Chapter 16, Article IV, Flood Damage Prevention, of the Del City Municipal Code.

SUPPLEMENTAL REGULATIONS

SECTION A-450 GENERAL DESCRIPTION

The purpose of this section is to supplement the regulations of the individual districts. Specific references have been made to this section for greater clarification, amplification, and specification. A violation of these Supplemental Regulations shall be a violation of the regulations of the zoning district in which the use is located.

SECTION A-451 SITE PLAN

SECTION A-451.1 REQUIREMENTS

Where a site plan is required, it shall be drawn on a 24x36 inch sheet at a minimum scale of one hundred (100) feet to an inch. The site plan shall show the exact size, shape, and dimensions of the property, the existing proposed topographic characteristics of the site at a contour interval of not more than two (2) feet, the locations of all existing and proposed buildings and structures, the location of all parking spaces and loading facilities, public and private easements, existing utilities, exterior lighting, all ingress and egress driveways, and any drainage facilities.

SECTION A-451.2 APPROVAL

The Community Services Director shall approve the site plan. In order for an occupancy permit to be granted, all construction shall conform to the approved site plan.

SECTION A-451.3 FAILURE TO COMPLY

Whenever the Community Services Director finds that any proposed construction varies substantially from the site plan, the change shall be referred to the Planning Commission for review at a Public Hearing. A substantial variation is defined as an increase or decrease in the size of the building by twenty (20%) percent, increase in the number of curb cuts or change in direction of curb cuts, and change in point of the discharge of water. A change in the use of a building or property, with said change in use being a permitted use in the applicable zoning district, does not require the site plan to be reviewed by the Planning Commission.

SECTION A-451.4 AMENDMENT

Amendments to the site plan shall occur in the same manner as the original application.

SPECIAL USE PERMITS

SECTION A-460 GENERAL DESCRIPTION AND AUTHORIZATION

The uses listed under the various districts as special use permits are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the district. With consideration given to setting, physical features, compatibility with surrounding land uses, traffic, and aesthetics, certain uses may locate in an area where they will be compatible with existing or planned land use. The Community Services Director shall review each case on its own merits, applying the criteria established herein, and, if appropriate, refer said use to the Planning Commission for consideration and, if appropriate, authorization of said use by granting the Special Use Permit. All the uses permitted in the specified district plus the special use permit requested, shall be authorized by the granting of a Special Use Permit.

SECTION A-461 APPLICATION

Application and public hearing procedures for a special permit shall be completed in the same manner as an application for rezoning. A site plan shall be included with the application as outlined in this Planning and Zoning Ordinance.

SECTION A-462 CRITERIA FOR SPECIAL PERMIT APPROVAL

The Planning Commission shall use the following criteria to evaluate a special use permit:

A. Whether the proposed use shall be in harmony with the policies of the Comprehensive Plan.

B. Whether the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

C. Whether the proposed use shall not adversely affects the use of neighboring properties.

D. Whether the proposed use shall not generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood.

E. Whether utility, drainage, parking, loading, signs, lighting access and other necessary public facilities to serve the proposed use shall meet the adopted Del City Municipal Code, this Planning and Zoning Ordinance, and the adopted standards and specifications relating thereto.

The Community Services Director may impose specific conditions regarding location, design, operation, and screening to assure safety, to prevent a nuisance, and to control the noxious effects of excessive sound, light, odor, dust or similar conditions.

SECTION A-463 STATUS OF SPECIAL USE PERMITS

Once a special use permit has been granted, the use shall not be enlarged, extended, increased in intensity, or relocated without an application for a new special use permit. All special use permits shall expire by default:

A. If the use is not established within twelve (12) months and no extension is approved or when a building permit has not been issued for construction within twelve (12) months of the approval of the special use permit. The applicant or owner may request a hearing for an extension of the initial special use permit approval. Good cause for an extension shall mean that the owner shows evidence that he has contractors or applications for continual development within the next year following the original approval.

B. If the use once established has been discontinued for a period of twelve (12) months or abandoned.

C. Whenever the Community Services Director finds that any proposed construction or occupancy will not, in his opinion, substantially comply with the special use permit, he shall refer the question to the Planning Commission for its review.

D. When the holder of a special use permit determines that an extension of time or modification of the use is necessary, he may apply for amendment in the same manner as the original application. The amendment shall be processed in the same manner as an original application.

SECTION A-464 HOME OCCUPATIONS

In the zoning districts which authorize a home occupation under a special use permit, the following conditions must apply in order for a special use permit for a home occupation to be approved:

A. The operator of a home occupation must reside on the premises where the home occupation is being conducted, and no person, other than a member of the family also residing on the premises, shall be engaged in such home occupation.

B. The use of the dwelling unit and premises for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and no more than twenty-five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.

C. There shall be no change in the outside appearance of the dwelling unit or premises or other visible evidence of the conduct of such home occupation, other than one (1) sign, not exceeding two (2) square feet in area, non-illuminated, and mounted flat against the wall of the dwelling.

D. No home occupation shall be conducted in a manner which will attract off-the-street customer or client traffic.

E. No portion of the home occupation shall be performed out-of-doors, including display or storage of materials, goods, equipment, products, or commercial vehicles associated with the conduct of such home occupation.

F. No home occupation shall be conducted in any accessory building.

G. There shall be no sales of products, materials or goods from the dwelling unit in connection with a home occupation.

H. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for packing generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

I. No equipment or process shall be utilized in the conduct of such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers of the premises, or causes fluctuations in line voltage off the premises.

J. The repair, restoration and maintenance of automobiles or vehicles and the replacement of parts on vehicles shall not be permitted as a home occupation. This shall not preclude an individual from performing repairs at their place of residence on vehicles to which they hold title or ownership.

K. All home occupations shall be limited to no more than two patrons at any given time and not more than two additional vehicles parked at the premises at any given time.

L. A home occupation may not be conducted between the hours of 9:00 p.m. and 7:00 a.m.

N. No home occupation may be conducted unless a permit has been issued by the Community Services Director and a permit application fee established by Resolution of the City Council has been paid to the City Clerk. Any approved permit shall apply only to the location for which the permit was originally issued and only to the person whose name is listed on the permit. No permit is transferable either among persons or locations. If at any time the permittee violates one or more of the above stated home occupation requirements, said permit shall be revoked and a new permit application may not be submitted until six months after the date of revocation, subject to full compliance with the home occupation standards and payment of a new permit application fee.

SCREENING AND LANDSCAPING

SECTION A-465 GENERAL

The purpose of this provision is to provide visual separation along streets and between residential areas and area of higher intensity land uses. The Development Regulations in individual zoning districts indicate sight-proof screening and landscaping requirements. All sight-proof screening and landscaping requirements shall be in accordance with the provisions of this Section A-485 of the Planning and Zoning Ordinance.

SECTION A-465.1 DEFINITIONS

SECTION A-465.1.1 SIGHT-PROOF SCREENING

A. *Sight-proof screening consists of*: Sight-proof fencing or sight-proof landscaping, including decorative fencing, evergreen vegetation or landscaped earth berms maintained for the purpose of concealing from view the property or structure behind such fence, evergreen vegetation or berm;

B. Strategic placement of buildings to restrict view of items required to be screened by this Planning and Zoning Ordinance. Said buildings shall be permitted to be used for screening individually or in combination with fences or landscaping elements.

SECTION A-465.1.2 SIGHT-PROOF FENCE

A sight-proof fence is a fence or wall which conforms to the following standards:

A. A minimum of six (6) feet but not more than eight (8) feet in height;

B. Attractive;

C. Made of wood, masonry, stockade poles, or other suitable ornate material;

D. Sufficiently stable to withstand wind force at fifteen (15) pounds of pressure per square foot;

E. Permanently anchored to the ground by a base situated entirely upon its subject property;

F. Obscures vision from one property to another;

G. Kept in an attractive state and in good repair at all times by the property owner.

SECTION A-465.1.3 SIGHT-PROOF LANDSCAPING

Sight-proof landscaping shall conform to the following standards:

A. Consisting of evergreen vegetation or landscaped earth berms;

B. A minimum of six (6) feet in height;

C. Sufficient to screen from the view of the abutting property the area required to be screened by this Planning and Zoning Ordinance.

SECTION A-465.2 SIGHT-PROOF SCREENING REQUIREMENTS

SECTION A-465.2.1 CONSTRUCTION PRIOR TO OCCUPANCY

Where property within any zonings district is required by the Development Regulations Section of that district to have sight-proof screening, no use or conversion of use shall be made of the property until the owner or occupant has erected sight-proof screening in conformance with the requirements of this Section.

SECTION A-465.2.2 SIGHT-PROOF FENCE PLAN

All required sight-proof fencing shall be shown on the site plan accompanying the application for a building permit or remodeling permit.

SECTION A-465.2.3 SIGHT-PROOF LANDSCAPING PLAN

A landscaping plan shall be required as part of the site plan submitted for a building permit, when the applicant chooses to use evergreen vegetation or landscaped earth berms to meet screening requirements.

SECTION A-465.3 OPTIONAL SIGHT-PROOF SCREENING PERMITTED

The owner of a multifamily, office, commercial, or industrial use may install a sight-proof screen on the property line across the front and side of his property, provided that sight triangles at access points and street intersections are excluded.

SECTION A-465.4 REQUIRED SIGHT-PROOF SCREENING ALONG LOCAL RESIDENT STREETS

When property within an industrial zoning district is separated by a local residential street from a residential zoning district, no industrial use shall be made of the industrial property until the owner or occupant has erected sight-proof screening along a side or rear property line or along the front building or property line provided that the required sight triangles at access points and street intersections must not be encumbered. If there is any outdoor work, sales, display, and storage areas in the required front yard, sight-proof screening shall be required along the front property line.

SECTION A-465.5 GENERAL LANDSCAPING REQUIREMENTS

SECTION A-465.5.1 GENERAL LANDSCAPING

The aesthetic improvement of land by adding trees, shrubs, lawns, ground cover, or flowers, frequently in combination with ornamental elements such as rock gardens, walkways, terraces, or berms

SECTION A-465.5.2 LANDSCAPING REQUIRED

The property owner in all zoning districts shall be responsible for landscaping the area within the street right-of-way line and the curb line. This area shall not be hard surfaced, other than a permitted driveway or sidewalk; it shall not be used for the location of any permanent or temporary accessory or non-accessory signs or access or directional signs with advertising. Directional signs without advertising may be permitted in the right-of-way provided they are approved by.

SECTION A-465.5.3 LANDSCAPE MAINTENANCE AND ENFORCEMENT

Maintenance and enforcement shall be as hereinafter set forth.

SECTION A-465.6 PROPERTY OWNER RESPONSIBILITY

It shall be the responsibility of the property owner to maintain in good condition all of the improvements required by this Planning and Zoning Ordinance. Any required fence which is damaged shall be repaired, and any vegetation which dies shall be replaced no later than the following planting season (spring or fall).

SECTION A-465.7 ENFORCEMENT AND APPEAL

When it is determined by the Community Services Director that the provisions required by Section A-465 of this Planning and Zoning Ordinance are not being maintained, it shall be his duty to give notice in writing to the property owner. Such notice shall specify in what manner the improvements are in need of maintenance and a date for compliance. The property owner shall have not less than thirty (30) days to comply with the notice; provided, however, that any person aggrieved by any such order of the notice, may file an appeal within the thirty (30) day period to the Planning Commission.

SECTION A-465.8 FAILURE TO COMPLY

Failure to provide the improvements required by this Planning and Zoning Ordinance or failure to maintain required improvements in the manner prescribed by this Planning and Zoning Ordinance shall constitute an offense and violation of this Planning and Zoning Ordinance.

PARKING AND LOADING

SECTION A-470 GENERAL

These regulations provide that adequate parking, loading, and maneuvering facilities will be a part of all land uses within the City. These regulations establish standards and review procedures intended to assure that the demand created by each land use will be satisfied by facilities which are functionally adequate and aesthetically pleasing.

SECTION A-470.1 OFF-STREET PARKING AND LOADING REQUIRED

Permanent off-street parking and loading area in the amount specified in the following sections of this Planning and Zoning Ordinance for each use shall be provided at the time of the erection of any building, or at the time any main building is enlarged or increased, or before conversion from one type of use or occupancy to another. This must be done in the amount required for the enlargement or increase in capacity by the adding of dwelling units, quest rooms, seats, or floor area provided, however, that in the event the need for an increase in off-street parking spaces is less than ten (10) percent of the parking spaces previously provided, no additional parking facilities shall be required.

SECTION A-470.2 USE OF PUBLIC RIGHT-OF-WAY PROHIBITED

No portion of any required off-street space shall occupy or use any public street, right-of-way, alley, or other public property. Parking spaces which use any street or public right-of-way as a direct means of access without the intermediate use of service aisles and entrances of at least the minimum standards specified by this Section shall be prohibited. A public alley shall be the only public right-of-way area permitted for maneuvering space to reach a required parking stall.

SECTION A-470.3 MINIMUM STANDARDS AND PROPERTY OWNER RESPONSIBILITY

The standards contained herein represent minimum requirements. It shall be the responsibility of the property owner to certify at the time he applies for a building permit that his plan is sufficient to provide sufficient spaces and facilities necessary to assure that no activity will take place on public streets or property not under his control. Any use developed after the date of adoption of these regulations which fails to provide for its off-street parking, loading, and access needs according to this provision shall be in violation of this Planning and Zoning Ordinance. Upon determination by the Community Services Director that a property owner has not provided adequate parking or loading space pursuant to the requirements contained herein to serve his operation, said property owner shall be required to either develop additional parking or loading space or reduce the size of the operation to fit the space available.

SECTION A-470.4 OWNERSHIP OR CONTROL

The land on which the off-street parking or loading facility is located shall be owned or controlled by the same entity which owns or controls the land on which the principal use is located.

SECTION A-470.5 APPROVAL PROCEDURE FOR OFF-STREET PARKING, LOADING, AND ACCESS

A. *New Construction/Remodeling/Change of Occupancy*
No building permit shall be approved until a plan has been reviewed and approved by the Community Services Director, as a part of the building and site plan review process.

No Certificate of Occupancy shall be issued until all off-street parking and loading facilities have been constructed in accordance with the approved building permit.

B. *Plan and Information Required*
The applicant for a building permit of new construction, expansion, remodeling, change in occupancy, or striping an existing parking area shall submit a plan (this may be a part of the site plan) showing the number, location, size, and type of parking spaces and circulation pattern. The applicant shall submit information regarding the projected number of employees, seating capacities, gross floor area, gross Lease able area, number of dwelling units, and any other appropriate data necessary to verify compliance with these regulations.

C. *Plans for Surfacing of Parking Area*
Plans for surfacing of all off-street parking areas, aisles, and access driveways, including detailed drainage plans, shall be reviewed and approved by the for compliance with the approved plans.

SECTION A-470.6 INTERPRETATION AND APPEAL

If questions of interpretation or application of these requirements to particular uses or structures arise, the Community Services Director shall, based on findings of fact, make a determination of the off-street parking, loading or access requirements. Any aggrieved property owner may appeal such determination to the Board of Adjustment.

SECTION A-470.7 OFF-STREET PARKING STANDARDS

A. *Remote Parking Permitted*
The off-street parking lot shall be located within two hundred (200) feet, exclusive of street and alley widths, of the principal use and shall have direct access to a street or alley, except as otherwise provided herein.

B. *Joint Parking Facilities*
The required parking space for any number of separate uses may be combined in a joint parking facility under the following conditions:

1. Whenever two (2) or more uses are located together in a common building, shopping center, or other integrated building complex, the parking requirements may be complied with by providing a permanent common parking facility cooperatively established and operated, which contains the requisite number of spaces for each use. The joint parking facility shall be located within the required distance defined in the Parking and Loading sections of this Planning and Zoning Ordinance and the joint parking lot shall not be separated by major streets as defined the Subdivision Regulations staring in Section A-601 of this Planning and Zoning Ordinance. The total number of spaces provided shall not be less than the sum of the individual requirements unless otherwise permitted in this section. Spaces provided for permanent residents of dwellings shall be clearly designated and separated from spaces provided for employees, customers and service.

2. *Multiple Ownerships or Structures*
Where there are multiple ownerships or structures, each owner shall provide evidence of a permanent legal instrument filed of record with the County Clerk of Oklahoma County which guarantees the right to the use of the parking facility with the City of Del City being a part of any vacation of said permanent legal instrument. The owner shall notify the City of Del City any time such agreements are terminated or amended.

3. *Churches*
Churches may establish joint parking facilities with public institutions and agencies that do not have a time conflict in parking demand. However, only fifty (50) percent of the required space may be provided in this way. The joint parking facility shall be located not to exceed four hundred (400) feet from the church sanctuary.

4. *Specific Uses in Shopping or Office Complexes*
The required parking spaces for the use units specifically listed below shall be permitted to be reduced by one-half, provided they are part of a shopping or office complex of one or more buildings totaling 48,000 square feet or more of Gross Lease able Area and which share joint access and parking facilities as described in the Parking and Loading sections; and provided further that the Gross Lease able area in the building or complex shall not exceed twenty (20) percent of the total Gross Lease able Area of the building or complex. Any Gross Lease able Area in excess of said twenty (20) percent shall require parking spaces to be provided according to the regular standards contained herein. The use units subject to this provision are:

(a) Drinking Establishments: Establishments, Sit-Down, Alcohol Permitted
(b) Eating Establishments: Establishments, Sit-Down, Alcohol Not Permitted
(c) Eating Establishments: Establishments, Sit-Down, Alcohol Permitted
(d) Spectator Sports and Entertainment: Restricted
(e) Shared Parking - Cumulative Effect

Where more than one facility shows evidence of joint use agreements for common access and a cross parking arrangement resulting in reduced street access points, parking requirements will be based upon the cumulative gross floor area of all structures.

SECTION A-470.8 PARKING AREA CONSTRUCTION

A. *Paving*
All portions of access driveways on public right-of-way connected to paved streets for which the grade has been established must be permanently paved with hard-surfaced pavement and comply with the Del City Municipal Code relating to driveway construction. Permanent hard-surface pavement shall mean a surface covering earth, gravel, or other natural or artificial base or foundation which shall meet or exceed the following minimum standards.

1. Two (2) inches of hot asphaltic concrete or double bituminous seal on a four (4) inch base of stabilized aggregate or the equivalent thereto, which has been approved by the Community Services Director.

2. Four (4) inches of Portland cement concrete, or

3. All portions of access driveways on public right-of-way: Six (6) inches of Portland cement concrete.

4. The Community Services Director may approve an alternative surfacing for existing residential dwelling parking spaces.

B. *Additional Residential Parking Requirements*

1. All vehicles parking between the dwelling and the front property line shall be parked with all wheels upon an approved parking surface as specified in Section A-470.8 A. of this Planning and Zoning Ordinance. Not more than fifty (50) percent of the required front yard shall be utilized as vehicle parking area. The special exceptions apply to existing dwellings:

   a. If the property has no driveway with an approved surface, then parking shall be on a designated driveway implied by the location of the existing curb cut and/or approach and approved by the Community Services Director.

   b. The enforcement of these residential parking requirements may be suspended for a limited period time should a hardship, financial or other hardship exist as determined by the Community Services Director.

      Financial hardships shall be determined according the following criteria:

      (1). If the occupants of the dwelling do not have a place to park on the street in front of their house, and

      (2) If the size of the front yard is such that additional paved parking may be added and the property still be in compliance with Section A-470.8 B., and

      (3) If it is not possible to park vehicles behind the front building line, and

      (4) If the property owner submits a “Request for Suspension of Code Enforcement Action Due Top Hardship”, on a form provided by the City, and including a written statement explaining the financial hardship, then the Community Services Director may, for just cause, suspend enforcement in order to allow the property owner a limited time to provide additional parking spaces.

      Other Hardships: A “Request for Suspension of Code Enforcement Action Due top Hardship” may be submitted for other than a financial hardship. The Community Services Director shall review the request

and, for just cause, may suspend enforcement of the parking space requirements of this Planning and Zoning Ordinance for a limited time.

In all cases, before enforcement action may be suspended, the property owner shall first sign a hardship agreement provided by the Community Services Director, and shall acknowledge that, should the terms of the hardship agreement be violated, the agreement shall be null and void and code enforcement action may resume.

No suspension of Code Enforcement action shall exceed six (6) months, except in situations of extreme hardship (i.e. death in the family, unexpected disability, etc.). The Community Services Director shall use sound judgment and consult with the City Manager regarding all situations of extreme hardship.

C. *Striping*

Off-street parking areas shall be designed to provide systematic and orderly circulation, traffic separation devices, and parking spaces in accordance with this Section and with sound traffic engineering practices.

1. All off-street parking spaces and means of ingress and egress shall be laid out on the parking surface with paint or plastic striping which provides a permanent delineation between spaces, aisles, and surrounding structures and land.

2. No striping shall be required on lots having only single family detached, two family attached, or town house residential structures.

D. *Separation from Public Right-of-Way*

All off-street parking areas, aisles, and access driveways that abut public street right-of-way shall be separated by a six (6) -inch Portland cement concrete header curb, bumper or landscape timbers and shall be designed so that vehicles do not overhang public right-of-way or adjacent property.

E. *Lighting*

1. Lighting, including any permitted illuminated sign, shall be arranged so that there will be no annoying glare directed or reflected toward residential buildings in a residential district.

2. The requirements for outside lighting for unattended parking areas, outside storage and other areas with minimum outside lighting should read as follows:

3. Unattended parking lots should have one candlepower lighting per square foot; outside storage areas should have 0.2 candlepower lighting per square foot. The 0.2 candlepower lighting per square foot should be used in restricted areas to be lighted.

F. *Clearance*

There shall be a minimum vertical clearance free of all obstructions to height of eight (8) feet for all portions of any off-street parking space, except when off-street parking spaces are provided in a parking structure, a residential garage or carport. No obstruction shall project into this minimum clearance. There shall be no obstruction

within or near the bounds of new required off-street parking space which would interfere with the normal availability and use thereof.

G. *Access from Public or Private Streets*

There shall be adequate ingress and egress to all off-street parking areas from public streets. Driveways for access to commercial and industrial off-street parking areas shall be a minimum of twenty-five (25) feet in width for two-way traffic and a minimum of eighteen (18) feet in width for one-way traffic, exclusive of curb returns, but shall not exceed thirty-five (35) feet in width. The requirements of Chapter 19, Article III, of the Del City Municipal Code also apply to ingress and egress permits for access to public streets.

All driveways shall be designed to intersect any primary or secondary arterial street at a ninety (90) degree angle, unless an alternative design is approved by the Community Services Director.

The curb return radius of a ninety (90) degree driveway for commercial uses shall be a minimum radius of fifteen (15) feet. This radius shall be provided on both side of the driveway entry.

The curb return radius of a ninety (90) degree driveway for single-family and two-family residential shall be a minimum radius of five (5) feet. The radius shall be provided on both sides of the driveway entry.

A driveway may be paved to the side property line of an interior lot, but shall comply with Section A-470.8, B-1, regarding the fifty (50) percent requirement. The curb return of a single-family or two-family residential driveway may extend past the property line of the property line on which the driveway will serve upon written approval of the property owner of the adjacent lot and approval of the Community Services Director.

H. *Corner Clearance for Driveways*

Any driveway intended to serve property which abuts a street intersection shall be placed a reasonable distance from the intersection. The minimum distance shall be the more restrictive of the following two methods of measuring:

1. At least twenty-five (25) feet from the intersection of the two street right-of-way lines to the point of curvature of the nearest radius of the driveway.
2. No portion of the radius of the driveway nearest the street intersection shall be located within the curvature of the street pavement which forms a corner.

SECTION A-470.9 ACCESSIBLE PARKING REQUIRED

Parking spaces for vehicles with handicapped drivers shall be provided in accordance with the following requirements.

A. *Location*

Parking spaces designed for use by the handicapped shall be located as near to an accessible entrance, or ramp leading to an accessible entrance, as possible to provide for maximum convenience and safety for all handicapped persons which traveling from the parking area to a building or structure.

B. *Design of Handicapped Parking Spaces*

The overall width of a van accessible handicapped parking stall shall be sixteen (16) feet, with eight (8) feet of said width designed for vehicle parking, and six (6) feet for driver access to and from the vehicle.

The overall width of a regular accessible handicapped parking space shall be fourteen (14) feet, with eight (8) feet of said width designed for vehicle parking and five (5) feet for driver access to and from the vehicle.

Accessible handicapped parking spaces shall be placed on an even grade with surface slopes not exceeding 1/4 inch per foot (two percent) in all directions.

C. *Number of Spaces Required*

Parking spaces for vehicles with handicapped drivers shall be provided in accordance with the following:

Parking Requirement	Assessable Spaces
Less than 25	1 Van Assessable Space
26-50	1 Assessable Space plus 1 Van Assessable Space
51-75	2 Assessable Spaces plus 1 Van Assessable Space
Over 75	3% of the total number of spaces with 25% of All Assessable spaces designed as Van Assessable Spaces

Note 1. Any portion of an assessable space requirement shall be rounded to the next whole number.

Note 2. Any portion of a van assessable space requirement shall be rounded to the next whole number.

D. *Ramps*

Ramps designed for handicapped individuals shall be provided as part of all new construction of commercial, industrial and institutional structures to ensure maximum accessibility between handicapped parking spaces and the nearest entrance to the structure.

Such ramps shall have a running slope not to exceed one vertical on twelve (12) horizontal (8.3%).The maximum rise per running slope shall be two feet six inch, with a ten (10) foot long flat landing between rises. Ramps and curb ramps shall have a minimum clear width of three feet, exclusive of edge protection or flared sides.

No structure, object or parking space shall obstruct access to a ramp.

E. *Signage*

Each parking space designed for handicapped use shall be marked with a sign which incorporates the International Symbol of Accessibility, to inform all drivers that said spaces are reserved for use by the handicapped. Each sign shall be of sufficient height so as not to be obscured by a vehicle parked in the space.

SECTION A-470.10 SPECIFIC PARKING REQUIREMENTS

The specific parking requirements for each use are listed in Table A-470.1 of this Planning and Zoning Ordinance. In cases where a use unit has no specific standard determined by this Planning and Zoning Ordinance, the Community Services Director shall make a determination of need after review of the site plan. Any disagreement with the decision of the Community Services Director may be appealed to the Planning Commission.

A. *Basic Design Standards*

The basic parking stall shall be 8.5 feet in width and l8.5 feet in length. The minimum design standards for the basic parking stall as well as the dimensions to be followed if the optional parking stall size of 9.0 or 9.5 feet is used are shown in Table A-470.2.Nothing in these standards shall prohibit an owner/applicant from providing larger aisle widths or stall dimensions in excess of these minimum standards in order to better suit his development requirements.

B. *Alternate Design Standard*

While Table A-470.2 has design standards for angles of 0, 45, 60, 75, and 90 degrees, the Community Services Director shall be permitted to approve an alternate design using different angles, provided the property owner submits such a design with calculations for stalls and aisles based upon the standards contained herein.

C. *Small Automobile Parking Design Standards*

Where a parking area is required to contain fifty (50) or more spaces, the Community Services Director shall be permitted to approve an alternate design for spaces to specifically accommodate compact automobiles. Said design shall conform to the following minimum basic standards:

1. Up to ten (10) percent of the required spaces may be allocated for compact automobiles.

2. Dimensions for a compact automobile space shall be 7.5 feet in width and fifteen (15) feet in length.

3. Compact automobile spaces shall be designed and striped at ninety (90) degree angles or an arrangement which will eliminate access and use by standard size automobiles.

4. It shall be the responsibility of the property owner to provide and maintain sufficient signs in conjunction with such parking areas to adequately inform the public of their intended use. Said signs shall be placed at each end of the parking zone and at least every four (4) parking spaces in between, and shall be of sufficient height so as not to be obscured by an automobile parked in the spaces.

SECTION A-470.11 QUEUING SPACES

Queuing Spaces as required for certain uses in this Planning and Zoning Ordinance shall conform to the following standards:

A. No Queuing space may occupy any portion of a public right of way.

B. Queuing spaces shall be a minimum of nine (9) feet in width and eighteen (18) feet in length.

C. Queuing spaces may not be used to satisfy the off-street parking or loading requirements of this section, however, queuing spaces may be provided in the secondary access aisle leading to a drive-in or drive-through facility.

TABLE A-470.1

UNIT USE CLASSIFICATION WITH APPLICABLE PARKING STANDARDS

USE UNIT		PARKING STANDARD
RESIDENTIAL USE UNITS		
A-304.1	Single Family Detached Residential	2 spaces per dwelling unit
A-304.2	Two Family Attached Residential	2 spaces per dwelling unit
A-304.3	Townhouse	2 spaces per dwelling unit
A-304.4	Multifamily Residential	1.5 spaces per dwelling unit
	Efficiency and 1 Sleeping Room	2 spaces per dwelling unit
	2 or More Sleeping Rooms	
A-304.5	Mobile Home Residential	2 spaces per dwelling unit
A-304.6	Group Residential	Director Approval
A-304.7	Home Occupation	
PUBLIC AND QUASI-PUBLIC USE UNITS		
A-304.8	Public service or Utility: Light	Director Approval
A-304.9	Public service or Utility: Moderate	Director Approval
A-304.10	Public service or Utility: Heavy	Director Approval
A-304.11	Reserved	
A-304.12	Low Impact Institutional -	
	Neighborhood Related	
	Elementary School	1 space per 10 classroom seats
	Churches, Temples, & Synagogues	1 space per 3 seats in the major place of assembly
A-304.13	Moderate Impact Institutional -	
	Junior High Schools	1 space per 10 classroom seats
	High Schools	1 space per 4 classroom seats
	Vocational Schools	1 space per 2 classroom seats
	Fraternal Organizations	1 space per 100 square feet of floor area used for assembly or recreation
A-304.14	High Impact Institutional	
	General College and University	1 space per 5 classroom seats
	Hospitals and Sanitariums	2 spaces per bed plus 1 space per 500 square feet of GFA of emergency room and outpatient care (where such care is specifically provided).
A-304.15	Cultural Exhibits	1 space per 400 square feet GFA
A-304.16	Library Services & Community Centers	
	Libraries	1 space per 300 square feet GFA
	Community Centers	1 space per 300 square feet GFA
A-304.17	Community Recreation – Restricted	
	Golf Course	5 spaces per green plus 1 space per 200 square feet GFA of public building area
	Swim Centers	1 space per 150 square feet of pool surface area and accessory area

	Game Courts: Tennis, Squash, Racquetball, Handball	5 spaces per court
	Playgrounds, Playfields, and Public Parks	Director Approval
A-304.18	Community Recreation - General	
	Golf Courses	5 spaces per green
	Clubhouses	1 space per 100 square feet GFA
	Swim Centers	1 space per 150 square feet of pool area
	Game Courts: Tennis, Squash, Racquetball, Handball	5 spaces per court
	Playgrounds, Playfields, and Public Parks	Director Approval
A-304.19	Community Recreation – Property Owners Association	
	Clubhouse	1 space per 300 square feet GFA
	Game Courts: Tennis, Squash, Racquetball, Handball	2 spaces per court
	Swimming Pool	1 space per 300 square feet of pool area
	Playgrounds	Director Approval

COMMERCIAL USE UNITS

A-304.20	Administrative & Professional Offices	See Table A-470.3, Office
A-304.21	Agricultural Supplies and Services	See Table A-470.3, Retail
A-304.22	Alcoholic Beverage Retail Sales	See Table A-470.3, Retail
A-304.23	Animal Sales and Services: Auctioning	See Table A-470.3, Retail
A-304.24	Animals: Grooming and Sales	See Table A-470.3, Retail
A-304.25	Animal Sales & Services: Horse Stable	Director Approval
A-304.26	Animal Sales & Services: Kennels and Veterinary, Restricted	See Table A-470.3, Retail
A-304.27	Animal Sales & Services: Kennels and Veterinary, General	See Table A-470.3, Retail
A-304.28	Automotive and Equipment: Light	1 space per 150 square feet GFA: 5 spaces minimum (Interior bays may be counted in meeting this requirement)
A-304.29	Automotive and Equipment: Heavy	1 space per 150 square feet GFA: 5 spaces minimum (Interior bays may be counted in meeting this requirement)
A-304.30	Automotive Sales and Rentals: Light	
	Showroom Area	See Table A-470.3, Retail
	Outside Lots	1 space per 5,000 square feet
	Service Area and Body Shop	See Section A-305.28
A-304.31	Automotive Sales and Rentals: Heavy	See Table A-470.3, Retail
	Showroom Area	1 space per 5,000 square feet
	Outside Lots	See Section A-305.29
	Service Area and Body Shop	
A-304.32	Automotive and Equipment: Storage	Director Approval
A-304.33	Building Maintenance Services	See Table A-470.3, Retail
A-304.34	Business Support Services	See Table A-470.3, Retail
A-304.35	Communication Services: Limited	See Table A-470.3, Office
A-304.36	Communication Services: Towers	Director Approval
A-304.37	Construction Sales and Services	
	For Showroom Area	See Table A-470.3, Retail
	For Outside Lot Area	See Table A-470.3, Warehousing (substitute lot area for GFA)
A-304.38	Convenience Sales & Personal Services	See Table A-470.3, Retail

A-304.39	Child Care Center	1 space per 10 children enrolled plus 1 space per 2 employees and plus 1 space per vehicle used in the operation of the center
A-304.40	Drinking Establishments, Sit-Down, Alcohol Permitted	A minimum of 12 spaces plus 1 space per 100 square feet GFA
A-304.41	Eating Establishments: Drive In	A minimum of 12 spaces plus 1 space per 100 square feet GFA (Excluding cold storage area)
A-304.42	Eating Establishments: Fast Foods	A minimum of 12 spaces plus 1 space per 100 square feet GFA (Excluding cold storage area)
A-304.43	Eating Establishments, Sit-Down, Alcohol Not Permitted	1 space per 100 square feet GFA
A-304.44	Eating Establishments, Sit-Down, Alcohol Permitted	1 space per 100 square feet GFA
A-304.45	Food and Beverage Retail Sales	See Table-470.3, Retail
A-304.46	Retail Sales and Services: Used	
A-304.47	Funeral and interment Services: Burial	1 space per 4 seats in chapel and 1 space per 300 square feet of non-assembly are within building
A-304-48	Adult Entertainment/Retail- Rental	
A-304.49	Funeral and Interment Services: Undertaking	1 space per 4 seats in chapel and 1 space per 300 square feet of non-assembly are within building
A-304.50	Gasoline Sales: Restricted for Building Area	See A-470.3, Retail (for spaced in addition to adequate queuing)
A-304.51	Gasoline Sales: General	Director Approval
A-304.52	Health Clubs	See Table A-470.3, Retail
A-304.53	Laundry Services	See Table A-470.3, Retail
A-304.54	Manufactured Housing and Travel Trailers: Sales and Rental	
	For Showroom Area	See Table A-470.3, Retail
	For Outside Lot See	See Table A-470.3, Warehousing (substitute lot area for GFA)
	For Service Area and Body Shop	See Table A-470.3, Industrial and Manufacturing
A-304.55	Medical Services: Restricted	The greatest of either 7 spaces per doctor on duty and 2 spaces per 3 employees or that which is required in Table A—470.3, Retail
A-304.56	Medical Services: General	The greatest of either 7 spaces per doctor on duty and 2 spaces per 3 employees or that which is required in Table A—470.3, Retail
A-304.57	Participant Recreating and Entertainment - Indoor	
	Bowling Alleys	5 spaces per lane
	Billiard Parlors	See Table A-470.3, Retail
	Dance Halls	1space per 50 square feet of club area and 1 space per 100 square feet of remaining GFA
	Skating Rinks	Director Approval
	Arcades	See A-470.3, Retail
	Theatres	1 space per 3 seats

A 304.58	Participant Recreating and Entertainment- outdoor	
	Driving Range	Director Approval
	Miniature Gold	2 spaces per 3 holes
	Go-Cart Tracks	Director Approval
	Drive-In Theatre	6 spaces minimum plus adequate spaces for viewing
	Amusement Park	Director Approval
A-304.59	Personal Services: Restricted	See A-470.3, Office
A-304.60	Personal Services: General	See A-470.3, Office
A-304.61	Personal Storage	1 space per 5,000 square feet of storage area
A-304.62	Repair Services: Consumer	See A-470.3, Retail
A-304.63	Research Services	See A-470.3, Retail
A-304.64	Retail Sales and Services: General	See A-470.3, Retail
A-304.65	Retail Sales and Services: Outdoor Swap Meets	Director Approval
A-304.66	Sign: On-Accessory	None
A-304.67	Spectator Sports and Entertainment: Restricted	Director Approval
A-304.68	Spectator Sports and Entertainment: General	Director Approval
A-304.69	Spectator Sports and Entertainment: High Impact	Director Approval
A-304.70	Tourist Accommodations: Campground	Director Approval
A-304.71	Tourist Accommodations: Lodging	1 space per rental plus 1 space per 200 square feet GFA of restaurant area (including kitchen) plus 1 space per 100 square feet GFA of club area (excluding office and meeting rooms) plus 1 space per 200 square feet for any retail area

INDUSTRIAL USE UNITS

A-304.72	Custom Manufacturing	See Table A-470.3, Manufacturing and Industrial
A-304.73	Light Industrial: Restricted	See Table A-470.3, Manufacturing and Industrial
A-304.74	Light Industrial	See Table A-470.3, Manufacturing and Industrial
A-304.75	Moderate Industrial	See Table A-470.3, Manufacturing and Industrial
A-304.76	Heavy Industrial	See Table A-470.3, Manufacturing and Industrial
A-304.77	Hazardous Industrial	See Table A-470.3, Manufacturing and Industrial
A-304.78	Scrap Operations	Directors Approval
A-304.79	Wholesaling, Storage and Distribution: Restricted	See Table A-470.3, Manufacturing and Industrial
A-304.80	Wholesaling, Storage and Distribution: General	See Table A-470.3, Warehousing (substitute total site area for GFA)

TRANSPORTATION USE UNITS

A-304.81	Transportation Facilities: Passenger	Directors Approval
A-304.82	Transportation Facilities: Freight, Restricted	See A-470.3, Warehouse plus supplemental parking for tractors and trailers as needed
A-304.83	Transportation Facilities: Freight, General	Directors Approval
A-304.84	Transportation Facilities: Aircraft	Directors Approval

A-304.85	Agricultural Processing: Limited	Directors Approval
A-304.86	Agricultural Processing: General	Directors Approval
A-304.57	Animal Raising: Personal	Directors Approval
A-304.88	Animal Raising: Commercial	Directors Approval
A-304.89	Animal Waste Processing: Limited	Directors Approval
A-304.90	Horticulture	See Table A-470.3, Retail for Building area (exclusive of Greenhouse) plus for Greenhouse, see table A-470.3, Warehouse
A-304.91	Row and Field Crops	Directors Approval

EXTRACTIVE USE UNITS

A-304.92	Mining and Processing: Mineral and Raw Materials	3 spaces per employee on largest shift
A-304.93	Mining and Processing: Oil and Gas	2 spaces per employee on largest shift
A-304.96	Body Piercing and Tattoo Facilities	
A-304.97	Adult Day Care Centers	

TABLE A-470.2

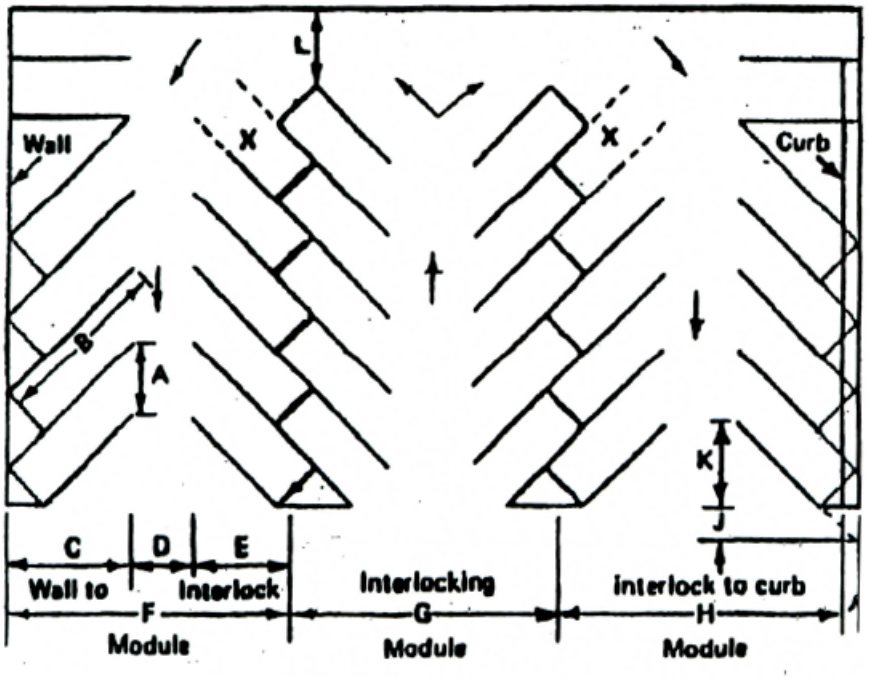
TYPICAL PARKING DIMENSIONS IN FEET

	A	B	C	D	E	F	G	H	I	J	K	L1	L2
Parking Angle	**Stall Width Parallel to Aisle**	**Stall Length of Line**	**Stall Depth to Wall**	**Aisle Width**	**Stall Depth to Interlock**	**Wall to Wall**	**Interlock to Interlock**	**Interlock to Curb**	**Bumper Overhang**	**Offset**	**Setback**	**Cross Aisle One Way**	**Cross Aisle Two Way**
45°													
8.5 ft stall	12.0	25.0	17.5	13.0	15.3	48.0	44.0	43.8	2.0	6.3	11.0	14.0	24.0
9.0 ft stall	12.7	25.0	17.5	12.0	15.3	47.0	43.0	42.8	2.0	6.3	11.0	14.0	24.0
9.5 ft stall	13.4	25.0	17.5	11.0	15.3	46.0	42.0	41.8	2.0	6.3	11.0	14.0	24.0
60°													
8.5 ft stall	9.8	22.0	19.0	18.0	17.5	56.0	53.0	52.2	2.3	2.7	8.3	14.0	24.0
9.0 ft stall	10.4	22.0	19.0	16.0	17.5	54.0	51.0	50.2	2.3	2.7	8.3	14.0	24.0
9.5 ft stall	11.0	22.0	19.0	15.0	17.5	53.0	50.0	49.2	2.3	2.7	8.3	14.0	24.0
75°													
8.5 ft stall		20.0	19.5	25.0	18.8	64.0	63.0	60.8	2.5	0.5	5.0	14.0	24.0
9.0 ft stall	9.3	20.0	19.5	23.0	18.8	62.0	61.0	58.8	2.5	0.5	5.0	14.0	24.0
9.5 ft stall	9.8	20.0	19.5	22.0	18.8	61.0	60.0	57.8	2.5	0.5	5.0	14.0	24.0
90°													
8.5 ft stall	8.5	18.5	18.5	28.0	8.5	65.0	65.0	62.5	2.5	0.0	0.0	14.0	24.0
9.0 ft stall	9.0	18.5	18.5	28.0	18.5	63.0	63.0	60.5	2.5	0.0	0.0	14.0	24.0
9.5 ft stall	9.5	18.5	18.5	28.0	18.5	62.0	62.0	59.5	2.5	0.0	0.0	14.0	24.0
0° Parallel													
8.5 ft stall	22.0	8.0	8.5	14.0			31.0					14.0	24.0
9.0 ft stall	22.0	9.0	9.0	14.0			32.0					14.0	24.0
9.5 ft stall	22.0	9.5	9.5	14.0			34.0					14.0	24.0

FIGURE A-470.1

TYPICAL PARKING DIMENSIONS IN FEET

TYPICAL DETAIL LOCATIONS



X-STALL NOT ACCESSIBLE IN CERTAIN LAYOUTS

**For Handicap Parking Standard Details Contact the City Engineer

TABLE A-470.3

MINIMUM PARKING STANDARDS FOR RETAIL, OFFICE, MANUFACTURING, INDUSTRIAL AND WAREHOUSING

Retail Sales	For the First 5,000 sq. ft. GLA	plus	From 5,001 to 12,000 sq. ft. GLA	plus	From 12,001 to 30,000 sq. ft. GLA	plus	From 30,001 to 50,000 sq. ft. GLA	plus	Over 50,000 sq. ft. GLA
	1 Space/150 sq. ft. GLA		1 Space/200 sq. ft. GLA		1 Space/225 sq. ft. GLA		1 Space/250 sq. ft. GLA		1 Space/300 sq. ft. GLA
Office	For the First 12,000 sq. ft. GLA	plus	From 12,001 to 48,000 sq. ft. GLA	plus	Over 48,001 sq. ft. GLA				
	sq. ft. GLA		sq. ft. GLA		sq. ft. GLA				
Manufacturing and Industrial	For the First 20,000 sq. ft. GFA	plus	Over 20,001 sq. ft. GFA						
	1 Space/500 sq. ft. GFA		1 Space/1000 sq. ft. GFA						
Warehousing	For the First 20,000 sq. ft. GFA	plus	From 20,001 sq. ft. to 48,000 sq. ft. GFA	plus	Over 48,001 sq. ft. GFA				
	1 Space/1,000 sq. ft. GFA		1 Space/5,000 sq. ft. GFA		1 Space/10,000 sq. ft. GLA				

Note 1: GLA means Gross Leasable Area

Note 2: GFA means Gross Floor Area

Note 3: For mixed uses containing any combination of retail, office, manufacturing and industrial, or warehousing activity, parking requirements shall be tabulated separately for each use within the development using the list of specific standards or Table A-470.3. When types of uses are not known at the development, then the Engineer shall make the determination as to the type of parking, i.e., retail, which will be required. Mixed uses regulated under separate parking requirements shall not be combined to achieve a larger square footage total that would result in a reduced parking requirement. Where any part of a mixed use is converted to another use category then the parking requirements shall be recomputed based on the new square footage figure

.

Note 4: Where a manufacturing and industrial use has more than one working shift of employees, parking facilities shall be adequate to accommodate overlap requirements during transition periods.

Note 5: Where a multiple purpose retail or industrial building is proposed to be occupied by a use which can be demonstrated by the occupant to require less parking than the standards contained herein, the Engineer may permit paving of a smaller parking area to meet the estimated need; provided, however, that the balance of the land required by these regulations shall be held in reserve as an unpaved area to meet future needs generated by an expansion of the business or a change in land use.

SECTION A-470.12 AISLE STANDARDS

A. Aisles providing access to off-street parking areas, but not immediately adjacent to or providing direct access to an off-street parking space, shall be at least twenty-two (22) feet in width if designed for two-way traffic and at least twelve (12) feet in width if designed for one-way traffic.

B. Aisles located immediately adjacent to buildings or structures shall be separated there from by one of the following methods:

1. A planted or landscaped strip not less than two (2) feet in width, excluding curb; protected by a six (6) inch concrete curb;

2. A sidewalk of not less than four (4) feet in width, excluding curb, protected by a six (6) inch concrete curb;

3. A twenty-four (24) inch aisle guard rail which shall be standard Oklahoma Department of Transportation guard rail with type I or IA terminal (metal end sections) on wooden posts 8 feet-4 inches on centers. This shall apply only to aisles constructed after the adoption of this Planning and Zoning Ordinance.

C. Parking may be located immediately adjacent to buildings or structures without a planted or landscaped strip or a sidewalk or without a bumper guard.

D. A drive-in widow shall not project more than one foot into an aisle.

SECTION A-470.13 OFF-STREET LOADING

Every industrial, commercial, and civic building hereafter erected or expanded shall provide space, as indicated herein, for loading and unloading of vehicles. The number of off-street loading spaces required by this Section shall be considered as the absolute minimum, and the owner/applicant shall evaluate his own needs to determine if they are greater than the minimum specified by this section. All off-street loading spaces must comply with the following:

A. All off-street loading spaces shall have the minimum dimensions of twelve (12) feet by sixty (60) feet and fifteen (15) feet overhead clearance. In no case shall required off-street loading space encroach upon off-street parking space required under this Planning and Zoning Ordinance, or on public right-of-way. No maneuvering shall be permitted on public right-of-way.

B. The number of required loading spaces is based on the gross floor area of a building or use. Loading spaces shall be provided in accordance with the following minimum requirements:

MINIMUM LOADING STANDARDS

Retail, Commercial, and Industrial

For the first 12,000 sq. ft. GLA	Plus	From 12,001 48,000 sq. ft. GLA	Plus	Over 48,001 sq. ft. GLA
None		1 Space		I Space

Office

For the first 49,000 sq. ft. GLA	PLUS	From 48,001 100,000 sq. ft. GLA	Plus	Over 100,001 Sq. ft. GLA
None		1 Space		1 space

Warehousing

Determined by the Director based on Type of Warehousing and Expected Truck Traffic

Note 1. GLA means Gross Lease Able Area
Note 2. GFA means Gross Floor Area

C. Off-street loading spaces shall be designed so that vehicles shall maneuver entirely within the property lies of the premises and not on public right-of-way. Unenclosed off-street loading areas shall be permanently paved with hard surfaced pavement. A six (6) inch header curb must also be constructed to separate a loading area from public right-of-way.

HEIGHT LIMITS

SECTION A-485 HEIGHTS

SECTION A-485.1 EXCEPTIONS

Chimneys, elevators, poles, spires, tank, towers, and other projections not used for human occupancy may extend above the height limit. Public and quasi-public buildings may exceed the height limitation of the district if the minimum width of the side yards required in the district are increased one foot for each two (2) feet by which the height of such public or quasi-public structure exceed the prescribed height limit.

SECTION A-485.2 CONFLICTING LIMITATIONS

Where an area is restricted by more than one height limitation, such as the Airport Zoning Regulations, the more restrictive limitation shall prevail.

ZERO SIDE YARDS FOR UNATTACHED DWELLINGS

SECTION A-486 ZERO SIDE YARDS FOR UNATTACHED DWELLINGS

The side yard setback may be zero on one side of the lot provided it meets all of the following:

A. The lot adjacent to that side yard is held under the same ownership or a letter of concurrence from the adjacent property owner is provided at the time of initial construction and the minimum side yard setback for such adjacent lot is not less than ten (10) feet; and

B. The opposite side yard setback is not less than ten (10) feet and is perpetually maintained free and clear from any obstructions other than a two (2) foot eave encroachment, and normal landscaping; and

C. No portion of the dwelling or architectural features, except eaves, may project more than two feet across any property line (eaves may project two (2) feet or less over the property line); and

D. The zero side yard is not adjacent to a public or private right-of-way; and

E. A site plan is prepared in accordance with this Planning and Zoning Ordinance; and

F. A recorded five (5) foot maintenance/access easement is provided on the property adjacent to the zero lot line.

OPEN SPACE

SECTION A-487 OPEN SPACES

The following requirements are intended to provide exceptions or qualify and supplement, as the case may be, the specific district regulations set forth herein.

SECTION A-487.1 OPEN SPACES TO SERVE ONE BUILDING

No open space or lot area required for a building or structure shall, during its life, be occupied by, or counted as open space for, any other building or structure.

SECTION A-487.2 PROJECTIONS INTO YARDS

Open eaves and porches, cornices, windowsills, belt courses, and fireplace chimneys may project into any required yard a distance not to exceed two (2) feet. Open porches may project into a front yard a distance not to exceed eight (8) feet. Open porches shall not project within ten (10) feet of the rear property line and shall not encroach on any easement. For carports, see the section pertaining to Accessory Uses.

SECTION A-487.3 SIGHT LINES AT INTERSECTIONS

A. Sight distance area at intersections of two public streets. On any corner lot, a triangle formed by measuring from the point of intersection of the front and exterior lot lines a distance of twenty-five (25) feet along said lot lines and extending the hypotenuse to the curb and connecting the points so established to form a sight triangle on the area adjacent to the street intersection.

B. Sight distance area at an intersection of a public street and private driveway leading to a parking lot of six or more vehicles. Triangle formed by measuring from the points of the front lot line and the exterior edges of the pavement of the driveway approach from the private property to the public thoroughfare a distance of twenty-five (25) feet along said front line and said edges of the pavement and connecting the points so established by extending the hypotenuse to the curb to form a sight area adjacent to the driveway intersection, and including the area of the driveway between the two triangles.

C. No parking wall, fence, sign, structure or any plant growth other than grasses shall be placed or maintained within any portion of the right-of-way included in the sight triangle.

D. No party wall, fence, sign, or structure shall be placed or maintained within the remaining sight distance area, herein defined from ground elevation to a height of ten (10) feet, except for traffic directional signs not to exceed thirty (30) inches. No plant growth shall be placed or maintained which would exceed a mature height of thirty (30) inches. A suggested list of plants will be provided by the planning department. The height will be based on the elevation of the adjacent Public Street or private driveway, whichever is greater, excepting for traffic control signs and lighting standards and except for private sign poles not exceeding one foot in diameter.

E. Only one sign pole may be located within the sight distance triangle.

F. Parking in the driveways of one-family and two-family dwellings is excluded from the provisions of this Planning and Zoning Ordinance.

G. On one-way streets and streets which have divided medians, the site distance triangle will only apply on the side which has oncoming traffic.

SECTION A-487.4 COURT REQUIREMENTS FOR MULTIFAMILY DWELLINGS

Whenever a multifamily dwelling or group of multifamily dwellings is designed with an inner or outer court, the following requirements shall be complied with:

SECTION A-487.5 OUTER COURT WIDTH

The width of an outer court upon which windows open shall be not less than ten (10) feet, or equal to the height of the opposing wall, whichever is greater; and in no case shall an outer court be less than five (5) feet in width or equal to seventy (70) percent of the height of the opposing wall, whichever is greater.

SECTION A-487.6 INNER COURT WIDTH

The width of an inner court of a multifamily dwelling shall be not less than two (2) times the height of the lowest wall forming the court, but in no case shall it be less than twenty (20) feet.

SECTION A-487.7 PASSAGEWAY FOR INNER COURT

An open unobstructed passageway shall be provided at the grade of each inner court. Such passageway shall be not less than twelve (12) feet in width, shall have a clearance of not less than twelve (12) feet in height, and shall provide a straight and continuous passage from the inner court to a yard or open space having a direct connection with a street.

ACCESSORY USES AND STRUCTURES

SECTION A-488 ACCESSORY USES AND STRUCTURES

The purpose of this Section is to establish development standards for uses and structures with are accessory to the main use or structure.

SECTION A-488.1 LOCATION OF AN ATTACHED OR DETACHED PRIVATE GARAGE

An attached or detached private garage which faces on a street shall not be located closer to the street than the front building line.

SECTION A-488.2 ACCESSORY BUILDING CONSTRUCTION TIME REQUIREMENT

No accessory building shall be constructed upon a lot to be used for a single family dwelling until the construction of the main building shall be used unless the main building on the lot is also being used.

SECTION A-488.3 PORTABLE/TEMPORARY/ACCESSORY BUILDINGS

Portable or temporary buildings shall be permitted only in accordance with the provisions of these regulations and the regulations governing such buildings as contained in subsequent amendments thereto. Furthermore, in the R-1-D, R-1-A, R-2, R-3 and R-4 districts, accessory buildings shall not exceed seven hundred fifty (750) square feet or thirty (30) percent of the rear yard area, whichever is the lesser. In addition, accessory buildings shall not exceed the height of the main structure.

SECTION A-488.4 CARPORTS

Carports are permitted to be added to residential structures and are subject to the following conditions and regulations:

A. Any person erecting or constructing a carport, in whole or in part, shall obtain a building permit.

B. No carport shall violate a required side yard setback.

C. All carports shall be located only over an existing paved driveway.

D. All carports shall be kept in an attractive state, in good repair, and in a safe and sanitary condition.

E. All carports shall be constructed, erected, or installed to conform with the structural requirements of the building code of the City and shall have an architectural design and appearance compatible with the primary building of the property.

F. No carport used in conjunction with a single-family dwelling or two-family dwelling shall exceed fourteen (14) feet in width for a single garage and/or driveway and shall not exceed twenty-four (24) feet in width for a double garage and/or driveway. Under no circumstances shall any carport used in conjunction with a single-family dwelling exceed twenty-four (24) feet in width. All width measurements shall be from eaves line to eaves line. No more than one carport shall be permitted for each dwelling unit.

G. All carports shall be permanently open on two (2) sides from grades surface to eaves line. All carports which extend into the required front yard setback shall be permanently open on three (3) sides from grade surface to eaves line.

H. All carports shall comply with front yard setback requirements of this Zoning Planning and Zoning Ordinance; provided, although carports used in conjunction with single family dwelling, or two family dwellings shall be permitted to extend into the required front yard setback area; however, no carport shall be permitted closer than five (5) feet from the right-of-way line of a public or private street.

CHILD CARE CENTERS

SECTION A-489 CHILD CARE CENTERS

Child Care Centers are permitted subject to the following conditions and regulations:

A. Child Care centers in residential districts shall meet the following provisions:

1. Child Care Centers shall be located in a single-family dwelling which is under the ownership and is the permanent residence (domicile) of the operator and shall be operated in a manner that will not change the character of the residence.

2. There shall be a minimum indoor space available for child care of not less than thirty-five (35) square feet per child exclusive of hallways, bathrooms, kitchen, and space occupied by furniture not intended for use by the children.

3. The center shall be located on a lot having not less than six thousand (6,000) square feet of area and all portions of said lot used for outdoor play space shall be enclosed by a fence not less than forty-eight (48) inches in height. The outdoor play area shall have a minimum of seventy-five (75) square feet per child within the fenced boundaries. This area must be hazard free and be able to keep children away from traffic, water and other dangers.

4. The center shall be operated in a manner that will not adversely affect property and uses in the area. The neighborhood should be such that the character of the immediate neighbors and associates of the family day care children insure wholesome relationships. The neighborhood should offer opportunities for healthy recreation and the home should be within reasonable access of the home of the child and to school, if school children are under care. Parking for the leaving and picking up of children shall be regulated so as not to interfere with normal traffic. A ratio of one parking space per ten (10) children and one (1) parking space per two (2) employees is required. The area designated for parking must be off-street parking and must be hard surfaced parking.

5. The day care center shall meet Oklahoma City-County Health Department requirements as to safety, design, facilities, and equipment of the features.

6. No advertising sign shall be permitted in order not to affect the residential district.

7. All day care centers shall be inspected by the Fire Marshall, Building Inspector, and the Community Services Director, or their designee, prior to licensing, and re-inspection may occur during the licensing period. The interior and exterior of all buildings shall comply with the City of Del City Building Code and Fire Prevention Code.

8. No mobile home, whether mobile or permanently situated, shall be issued a license. Exception: those mobile homes that can document compliance with National Fire Protection Standard Number 501B, 1973 Edition and subsequent amendments, can be accepted as meeting fire safety construction requirements.

9. In addition to the City license, a license shall be obtained from the State Department of Human Services. All requirements relative to their standards must be adhered to.

10. The number of children specified on the license shall be the maximum number present in the facility at any one time.

B. Child Care centers authorized under permitted uses in commercial districts:

1. The center shall provide a minimum of thirty-five (35) square feet per child of indoor space, exclusive of hallways, bathrooms, kitchen and space occupied by furniture not for use by the children.

2. The center shall provide a minimum outdoor space of seventy-five (75) square feet per child which shall be enclosed by an opaque ornamental fence not less than forty-two (42) inches in height or said fencing shall be in accordance with the appropriate screening requirement of the particular zoning district.

3. The center shall meet county health requirements as to safety, design, facilities, equipment and licensing of the features.

4. Parking for the leaving and picking up of children shall be required so as not to interfere with normal traffic and be determined in accordance with the Parking and Loading sections, Parking and Loading.

SWIMMING POOLS

SECTION A-490 SWIMMING POOLS

Swimming pools are regulated by the building codes adopted in the Del City Municipal Code and are permitted subject to the following additional regulations.

SECTION A-490.1 PRIVATE SWIMMING POOLS

Private swimming pools shall be defined as pools maintained by an individual for the use of his family and friends, with no formal admission requirements. Private swimming pools shall be subject to the following regulations:

A. Pools may be constructed as an accessory use, and yards in which pools are contained shall be completely enclosed by a permanent wall or fence not less than four (4) feet in height.

B. A swimming pool shall not be constructed in front of the side building line and no portion of the pool; pool equipment such as filters, diving boards, etc. shall be permitted on an easement.

C. Pool walkways and decking may be permitted on easements; however, these facilities shall not be placed in such a manner as to restrict access to public utilities. All facilities permitted over easement shall be subject to removal if maintenance of public utilities is necessary and removal and restoration of said decking, walkways or other permitted facilities on easements shall be at the expense of the property owner.

D. The inside wall of the pool and integral portions of structure composing the pool well shall be setback a minimum of five (5) feet from the side or rear lot line and be required to meet all other provisions of this section.

E. Pool and pool equipment, including but not limited to diving boards, filters, etc., shall be located in such a manner as not to disturb adjoining property owners and be a minimum of fifteen (15) feet from any portion of an existing residential building on an adjacent lot.

F. Pool drainage and over splash from pool, usage shall not be permitted to be directed or otherwise run onto adjacent lots and shall be handled in a manner consistent with all provisions of this Planning and Zoning Ordinance.

SECTION A-490.2 PUBLIC SWIMMING POOLS

The term public swimming pools includes all entirely artificially constructed wading pools, swimming pools, bath houses used collectively by a number of persons for wading, swimming, recreation, or therapeutic bathing, together with all appurtenances pertaining to such bathing places. Public swimming pools shall be subject to the following regulations:

A. Pools shall meet all regulations contained above pertaining to private pools.

B. Pools shall meet all requirements and regulations contained in Title 63, Oklahoma Statutes.

MISCELLANEOUS OTHER REQUIREMENTS

SECTION A-491 USE OF RESIDENTIAL STRUCTURES OR DWELLINGS FOR COMMERCIAL OR INDUSTRIAL PURPOSES

Residential structures or dwellings can be used for commercial or industrial purposes only under the following conditions:

A. No structure or building designed for, intended for, or previously or presently used for residential purposes or dwellings shall be used for or occupied by any commercial or industrial use or district unless it is harmonious with the existing neighborhood and complies with setback requirements, parking requirements, landscaping and screening requirements and all other City Codes currently adopted and enforced by the City of Del City.

B. Included with the building permit application shall be a site plan and architectural plans showing four (4) elevations. If there are no proposed changes to the exterior elevations, pictures may be submitted. The Community Services Director shall coordinate the application with the appropriate departments.

C. Whenever a building or structure designed for residential or dwelling purposes is located in a commercial or industrial district, no additional commercial or industrial use shall be permitted on the same lot until the structure of building is removed. Provided, however, that the residential structure of building is not less than two hundred (200) feet from the front property line and is no closer than fifty (50) feet from the nearest commercial or industrial structure or buildings, the residential structure or building need not be removed but may be used only for residential purposes.

SECTION A-492 RESIDENTIAL FENCING AND SCREENING

Fences and walls may be erected in residential districts under the following provisions and regulations:

A. All fences and walls are prohibited beyond or in front of the front building line.

B. Hedges are prohibited from extending into the street right-of-way.

C. Fences are prohibited from being higher than eight (8) feet above the ground level.

D. Exterior (street) side yard of corner lots shall be permitted to be fenced in the following manner:

1. Where the side yard abuts the front yard of an interior lot, the fence be limited to four (4) feet and shall be prohibited beyond the side building line.

2. Where the corner lot is back-to-back with another lot, the fence shall be limited to eight (8) feet in height and can be built to the property line.

E. In rear yards the height limitation shall be eight (8) feet from ground level.

F. No fence, wall, or hedge or any portion thereof shall be located in the site triangle.

G. No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage.

H. No electrified fence or wall or any fence or wall containing broken glass, barbed wire or other substances reasonably calculated to do bodily harm shall be permitted.

A permit is hereby required for the construction or installation of any fence or wall with a filing fee in the amount established by a Resolution by the City Council .Such permit shall be issued by the Community Services Director upon payment of the fee prescribed herein and in compliance with the provisions therein. All fences and walls must meet the adopted building code.

SECTION A-493 STORAGE AND PARKING OF COMMERCIAL VEHICLES, RECREATIONAL VEHICLES AND MOBILE HOMES

Commercial vehicles and trailers of all types, including those used for hauling, shall not be parked or stored on any lot occupied by a dwelling or on any lot in any residential district except in accordance with the following provisions:

A. Not more than one commercial vehicle, which does not exceed one and one half (1-1/2) tons rated capacity, per family living on the premises shall be permitted.

B. In no case shall a commercial vehicle used for hauling explosive, gasoline or liquefied petroleum products be permitted.

C. Recreational vehicles, which specifically includes but is not limited to motorized homes, camping trailers, pick-up campers, travel trailers, boat trailers, shall not be parked or stored on any lot occupied by a dwelling or any lot in any residential district except in accordance with the following provisions:

D. Recreational vehicles shall be stored in the rear yard of a residential lot whenever reasonable access to said rear yard is available, recreational vehicles may be stored in the front yard of a residence provided that no portion of the vehicle(s) extends over or into the street right-of-way. A wood or cyclone fence is not considered as denying reasonable access.

E. Recreational vehicles shall not be parked or stored in any street right-of-way except for purpose of loading and unloading and then not for a period to exceed twenty-four (24) hours. Pick-up campers that are in use daily shall be exempted from this requirement.

F. No recreational vehicle shall be stored in the front or side yard of a residence or a residential lot in a manner that would constitute a traffic hazard or would, in any way, obstruct vision within the "sight triangle" of a corner lot.

G. Mobile homes shall be parked or stored only in conformance with this Planning and Zoning Ordinance.

SECTION A-494 STORAGE OF LIQUEFIED PETROLEUM GASES

The use of land or buildings for the commercial wholesale or retail storage of liquefied petroleum gases shall be in accordance with the Planning and Zoning Ordinance and the regulations of the Liquefied Petroleum Gas Administration of the State of Oklahoma.

NONCONFORMING USE REQUIREMENTS

SECTION A-495 GENERAL

Within the districts established by this Planning and Zoning Ordinance or amendments that may later be adopted, there are uses, structures, and lots that were lawful before this Planning and Zoning Ordinance was adopted or amended, but which became or will become prohibited under the terms of this Planning and Zoning Ordinance or future amendments thereto. Such uses, structures, and lots are regulated by this section.

SECTION A-496 NONCONFORMING USES

SECTION A-496.1 DEFINITION

A nonconforming use is defined as a previously lawful use of land prohibited by the passage of this Planning and Zoning Ordinance or amendment thereto that is allowed to continue, subject to the provisions regarding nonconforming uses found in this Planning and Zoning Ordinance.

SECTION A-496.2 MODIFICATION

A nonconforming use may not be enlarged or intensified in any way. Expansion of premises or portion thereof on which the non-conforming use is conducted or expansion of operations related to the non-conforming use are not permitted. In the event that a structure or premises in/on which a non-conforming use is conducted are damaged in excess of fifty (50) percent of its current assessed valuation, by any peril including deterioration or age, the structure shall not be restored or rebuilt for the purposes of continuing a nonconforming use.

SECTION A-496.3 DISCONTINIANCE

One discontinued, a nonconforming use or portion of a nonconforming use may not be reestablished. A nonconforming use can be discontinued either through abandonment or through termination.

A non-conforming use shall be considered abandoned if any of the following conditions exist for a period of ninety (90) days:

A. The activity comprising the nonconforming use ceases.

B. The premises or portion of premises on which the non-conforming use is being conducted become vacant.

C. The premises or portion of premises on which the non-conforming use is being conducted are without lawful utility service (water, sewer/trash, and/or electric).

A nonconforming use may be terminated at or after the occurrence of one or more of the following events:

A. The existence of one or more violations of the Planning and Zoning Ordinance, except for those violations properly afforded legal nonconforming status, provided that the owner of the property is notified of the violations and fails to cure the violations within thirty (30) days from the date of notice.

B. The existence of one or more violations of the City of Del City Code of Ordinances, except for those violations properly afforded legal nonconforming statues, provided that the owner of the property is notified of the violations and fails to cure the violations within thirty (30) days from the date of notice.

C. The existence of one or more violations of the city's adopted codes, except for those violations properly afforded legal nonconforming statues, provided that the owner of the property is notified of the violations and fails to cure the violations within thirty (30) days from the date of notice.

D. Occupancy of a premise without having applied for and obtained a valid Certificate of Occupancy, including any such Certificate required based on substantial remodeling, change or addition of occupancy classification, use classification, or occupant.

E. Issuance of a condemnation order or demolition order pursuant to Oklahoma statute or adopted codes.

The final decision to terminate a nonconforming use lies with the City Manager, in consultation with the Department of Community Services. This determination may be made at any time after the occurrence of one of the above listed events, including during routine reviews of land use and at the time of application for a permit, license or Certificate of Occupancy. Such a decision may be appealed to the Board of Adjustment pursuant to the provisions of this Planning and Zoning Ordinance; however, such an appeal may be based only on an irrefutable error of fact relating to the existence of an event or condition allowing for termination.

SECTION A-497 NONCONFORMING STRUCTURES AND LOTS

SECTION A-497.1 DEFINITION

A nonconforming structure is one that does not conform to the district regulations of this Planning and Zoning Ordinance for minimum yard requirements, height, lot coverage, parking, other characteristics of the structure, or its location on the lot, but that was lawfully existing at the time of adoption of this Planning and Zoning Ordinance or relevant amendment thereto.

A nonconforming lot is one that does not comply with minimum lot size, width, depth, or frontage requirements, but that was lawfully existing at the time of adoption of this Planning and Zoning Ordinance or relevant amendment thereto.

SECTION A-497.2 MODIFICATION

A nonconforming structure shall not be enlarged in any manner unless said buildings or structure, including additions and enlargements, is made to conform to all of the regulations of the district in which it is located. Such a structure may not be substantially improved (improvement or renovation greater than fifty (50) percent of its assessed valuation) unless such improvement would make the structure compliant with the current regulations. Minor renovation, repair and maintenance to such a structure are allowable, providing that they comply with all applicable codes and regulations and that they do not increase the intensity or extent of any nonconformity. In the event that such a structure is damaged in excess of fifty (50) percent of its current assessed valuation, by any peril including deterioration or age, the building shall only be repaired or reconstructed such that the resulting

structure is compliant with all codes and regulations and with all provisions or this Planning and Zoning Ordinance.

SECTION A-497.3 CONDEMNATION

Nonconforming status for a structure shall cease upon issuance of a condemnation order or demolition order.

SECTION A-498 OWNER OCCUPIED PROPERTY

SECTION A-498.1 EXCEPTION

No provision relating to termination of nonconforming status shall be construed to allow for the termination of a legal non-conforming use of an owner occupied residential property, until or unless that property ceases to be occupied by its owner.

SECTION A-499 VIOLATION NOT AUTHORIZED

SECTION A-499.1 VIOLATION OF PRIOR ZONING REGULATIONS

Nothing contained in Sections A-495 through A-499 of this Ordinance shall be construed to authorize the continuation, modification, or occupancy of a use, structure, or a lot in violation of the zoning regulations at the time it was established, constructed, or created.

SECTION A-499.2 VIOLATION OF LAW, ORDINANCE, OR CODE

Nothing contained in Sections A-495 through A-499 of this Ordinance shall be construed to authorize the continuation, modification, or occupancy of a nonconforming use, structure, or lot in violation of state or federal law or of any provision contained with the Del City Code of Ordinances or the City's adopted codes, unless the use, structure or lot is permissible as preexisting under the applicable law, ordinance, or code.

SECTION A-499.3 ILLEGAL USES, STRUCTURES, AND LOTS

Nothing contained in Section A-495 through A-499 of this Ordinance shall be construed to confer nonconforming status on a use, building, or lot that was conducted or occupied contrary to federal or state law or any provision contained within the Del City Code of Ordinance or the City's adopted codes.

Within one year from the time any property is annexed to the City, all nonconforming commercial uses of property abutting residentially zoned property shall be adequately screened from view in accordance with the regulations of Section A-265 of this Planning and Zoning Ordinance.

CHAPTER 5
PLANNED UNIT DEVELOPMENT

SECTION A-501 GENERAL PROVISIONS

The Planned Unit Development, herein referred to as PUD, is a Special Zoning District category that provides an alternate approach to conventional land use controls. The PUD may be used for particular tracts or parcels of land that are under common ownership and are to be developed as one unit according to a Master Development Plan. The PUD is subject to special review procedures, and once approved by the City Council it becomes a special zoning classification for the property it represents.

SECTION A-501.1 INTENT AND PURPOSE

The intent and purpose of the Planned Unit Development are to:

A. Encourage innovative land development while maintaining appropriate limitations on the character and intensity of use, assuring compatibility with adjoining and proximate properties, and following the guidelines of the Comprehensive Plan;

B. Permit flexibility within the development to maximize the unique physical features of the particular site;

C. Encourage efficient use of land, facilitate economic arrangement of buildings and circulation systems, and encourage diversified living environments and land uses;

D. Achieve a continuity of function and design within the development and to encourage diversified living environments and land uses; and

E. Provide a vehicle for negotiating modifications in standard development requirements in order to both encourage innovative development and protect the health, safety and welfare of the community.

SECTION A-501.2 PLANNED UNIT DEVELOPMENT AUTHORIZED

A PUD may be authorized by an amendment to the official Zoning Districts map after public hearings by the Planning Commission and the City of Del City, provided it complies with the following requirements:

A. *Location and Use*
A PUD shall be considered a special zoning district; and it may be authorized for any use or combination of uses permitted in this Zoning Planning and Zoning Ordinance.

B. *Planned Unit Development Master Plan Required*

1. The basis for review and approval of a PUD application shall be the PUD Master Plan, which shall be adopted as a part of the Planning and Zoning Ordinance of rezoning in conformance with the requirements described in these regulations.

2. The PUD Master Plan shall consist of two (2) elements: the Design Statement and the Master Development Plan Map.

3. The PUD Master Plan establishes residential densities, as well as amount, type, and general location of all land uses.

4. The PUD Master Plan shall serve as the basis for review and approval of all subdivision plats and building permits within the PUD.

C. *Effect of Planned Unit Development Approval*

1. Approval of a zoning change to PUD adopts the Master Plan prepared by the applicant and reviewed as a part of the application. The Master Plan establishes new and specific requirements for amount and type of land use, residential densities, development regulations and location of specific elements of the development, such as open space and screening.

2. The PUD classification replaces any previous zoning district classification of a parcel.

3. Where there is no provision in the PUD Master Plan for special Development Regulations, the requirements of the most restrictive conventional zoning district in which a proposed use or a structure is permitted shall be applied to the development.

SECTION A-501.3 CRITERIA FOR PLANNED UNIT DEVELOPMENT REVIEW AND APPROVAL

A. *Purpose*

Because the PUD provides the opportunity for higher densities, greater design flexibility, mixed land uses, and improved marketable, the applicant should be prepared to provide amenities and services that might not be required or possible in a conventional development. Review and approval of a PUD is, therefore, a process of negotiation between the City government and the applicant to achieve the intents and purposes of these regulations and Comprehensive Plan. The following factors should be specifically included as review criteria for the evaluation of a PUD application. Other factors not listed herein may also be considered in the review process in order to respond to specific design and land use proposals.

B. *Design Standards*

1. The proposed PUD shall be designed to provide for the unified development of the area in accordance with the spirit and purpose of the Comprehensive Plan and the land uses and zoning districts adjacent to it.

2. Design of the PUD may provide for modification of conventional zoning Planning and Zoning Ordinance requirements for such elements as yard areas, densities, set back, and height on individual lots in accordance with the PUD Master Plan.

3. Density, land use, and intensity of use requirements shall be based on the PUD Master Plan and shall be in conformance with the Comprehensive Plan.

4. Building Code requirements shall not be reduced in the design of a PUD.

5. The maximum number of dwelling units within a PUD shall be based on calculation of gross density. Gross density shall be established in the PUD Master Plan and shall be calculated by dividing the total land area to be

developed for residential uses (exclusive of arterial streets) by the number of dwelling units.

6. Location and type of housing shall be established in a general pattern and shown on the Master Development Plan Map.

C. *Minimum Design and Construction Standards for Street and Alleys*

Streets and alleys for PUD's shall be designed and constructed in accordance with City standards and specifications for right-of-way width and paving cross section; provided that modifications may be requested and approved as part of the Master Plan if the following criteria are met:

1. **Public Streets and Alleys**

Proposed public street and alley modifications shall satisfy the following criteria:

a. Street right-of-way and paving shall be adequate to provide a traffic carrying and utility installation capacity related to the design of the overall street system, the function of the individual street, and the land uses served.

b. Paving cross sections shall be designed to be adequate to provide acceptable drainage in conformity with the drainage plan for the PUD; to receive loading commensurate with anticipated traffic based on the design of the overall street system; and to have a maintenance level commensurate with that of facilities constructed to regular standards.

2. **Private Street and Alleys**

Proposed private street and alley modifications shall satisfy the criteria for public facility modifications listed above and the following:

a. Private streets shall not be connected to an adjacent parcel which is not a part of the PUD in a manner that will circulate traffic into and through the private street system.

b. The owner/applicant shall clearly demonstrate the existence and capabilities of a Property Owners Association to provide the ongoing and long-term maintenance of the Private Street and alley facilities that will not be provided by the City.

D. *General Design and Development Guidelines*

1. **Intensities**

Proposed developments shall conform to the level of intensity guidelines in the Comprehensive Plan and should be developed in a manner and at a scale that will be compatible with adjacent developed neighborhoods.

2. **Amenities**

Amenities should be considered as an important justification for development and City approval of a PUD. Where gross or net densities are to be increased to promote economic of development, or where other methods of land use intensification are proposed, usable open space should be furnished along with provision for its permanent retention and continued maintenance. Sidewalks

and pedestrian ways should be planned where it is necessary to provide for amenities and public safety.

3. **Minimum Land Area and Frontage**
The minimum area and frontage for a PUD request involving office, commercial or industrial land uses should generally be at least the minimum required by the conventional zoning associated with the proposal.

4. **Streets**
   a. Street design should be innovative and should restrict through traffic from residential areas as much as possible.

   b. Encouragement should be given to design of short local streets serving limited access, such as the residential cul-de-sac.

   c. Street right-of-way widths may be reduced provided easements are granted along each side of the street. The easement width when added to the street right-of-way width shall equal or exceed the conventional right-of-way width.

   d. Development of a private street system should be considered appropriate under certain conditions where there is no through traffic. However, a private street system should not serve as a reason for reduction of minimum design and paving standards.

   e. On-street parking bays or other similar areas where vehicles must be backed into the traffic flow should not be approved on arterial or collector streets or any local street; provided, however that certain cul-de-sac or small loop street designs may be considered as appropriate.

5. **Parking**
If the front building line in residential areas is less than twenty (20) feet the Planning Commission and City Council may require additional guest parking at the suggested rate of one additional space per 7.5 dwelling units.

6. **Relationship to Abutting Uses**
   a. The Master Development Plan Map should show graphically the treatments that will be employed to separate the PUD from abutting properties, including commitments to landscaping, screening, earth berms, or similar techniques.

   b. It is appropriate to specifically establish areas with height limitations where a transition to more intense uses is proposed or where a higher intensity development is proposed to abut a lower intensity area.

7. **Mixed Land Use Development**
Where a PUD proposes a mix of uses which would generally be incompatible with a conventional development, the PUD Master Plan should specifically establish appropriate guidelines to assure a harmonious development.

8. **Common Access**
In commercial or industrial developments, the PUD Master Plan should establish specific standards and locations for common access driveways both within the development and abutting arterial streets. Approval of the bonus provisions in the Parking and Loading sections of this Planning and Zoning Ordinance for shared parking facilities should only be authorized in PUD's where this access commitment is provided in the PUD Master Plan.

SECTION A-502 PUD APPLICATION AND REVIEW PROCEDURES

SECTION A-502.1 PLANNED UNIT DEVELOPMENT SUBMISSION REQUIREMENTS

A. The developer and\or builder of a PUD shall follow a five-step application and review procedure:
1. Pre-Application Review.
2. Application for Rezoning, Submission of PUD Master Plan, including the Design Statement and Master Development Plan Map.
3. Preliminary Plat, where required by the Subdivision Regulations.
4. Final Plat, where required by the Subdivision Regulations.
5. Application for Building Permit and Site Plan Review.

B. Each required step shall be completed and approved before the following step is reviewed. Where appropriate, other methods authorized in the Subdivision Regulations may be substituted in Steps 3 and 4 above. The Planning Commission and may, however, review more than one-step at the same public hearing.

C. Public Hearing
1. Public Hearings shall be held on the application for rezoning and the PUD Master Plan in accordance with regular procedures for zoning applications.
2. Public hearings on required plats shall be held in accordance with regular procedures established in the Subdivision Regulations.

SECTION A-502.2 PLANNED UNIT DEVELOPMENT REVIEW PROCEDURES

A. *Step 1. Pre-Application Review*
At least thirty (30) days prior to submission of an application for rezoning to a Planned Unit Development, the applicant shall submit to the Community Services Director, a freehand pencil sketch plan drawn to approximate scale showing streets, lots, public areas, and other significant features. The applicant should discuss with the Community Services Director the procedure for adopting a Planned Unit Development and the requirements for the general layout of streets and utilities, access to arterials, or general design and narrative, the availability of existing services, and similar matters. The Community Services Director shall also advise the applicant, where appropriate, to discuss the proposed Planned Unit Development with those officials who must eventually review the various aspects of the proposal coming within their jurisdiction.

The intent of the Pre-Application Review is to expedite and facilitate the approval of a PUD Master Plan.

B. *Step 2. Application for Rezoning and PUD Master Plan*

1. The PUD application for rezoning shall be filled in accordance with regular procedures and on application forms of the City of Del City. The PUD Master Plan, which is submitted with the application for rezoning, shall consist of a Design Statement and a Master Development Plan Map. The applicant shall also provide other supporting maps as necessary to meet the submission requirements of this Planning and Zoning Ordinance.

   a. The Master Development Plan Map shall be a graphic representation of the development plan for the area, prepared at a scale appropriate for the size of the project but no less than the minimum required for preliminary plats in the Subdivision Regulations. It shall show the following:

      (1) Location of proposed land uses, and residential densities;

      (2) Location of collector and local streets within the PUD and adjacent arterial streets;

      (3) Sufficient surrounding area to demonstrate the relationship of the PUD to adjoining uses, both existing and proposed;

      (4) Location and approximate size of proposed open space and recreation area;

      (5) Areas where access to streets will be limited and location of driveways where appropriate;

      (6) Any other pertinent information necessary for review, approval, and administration of the PUD.

   b. The PUD Design Statement shall be a written report submitted as a part of the PUD Master Plan containing a minimum of the following elements:

      (1) Title of PUD;

      (2) List of the owners and /or developers;

      (3) Statement of the general location and relationship to adjoining land uses both existing and proposed.

      (4) Description of the PUD concept, including an acreage or square foot breakdown of land use areas and densities proposed, a general description proposed, a general description of building use types, proposed restrictions, and typical site layouts;

      (5) The existing PUD zoning districts in the development area and surrounding it:

(6) A list of all special Development Regulations or the conventional Zoning District regulations which will be applicable; plus a list of requested variations to the Subdivision Regulations or other applicable development regulations;

(7) A statement on the existing and proposed streets, including right-of-way standards and street design concepts;

(8) The following physical characteristic: elevation, slope analysis, soil characteristics, tree cover, and drainage information;

(9) A topographic map with minimum five (5) foot contour intervals;

(10) Drainage information, including number of acres in the drainage-area and delineation of applicable flood levels.

(11) A statement of utility lines and services to be installed, including which lines will be dedicated to the City and which will remain private;

(12) The proposed densities, and the use types and sizes of structures; and

(13) A description of the proposed sequence of development.

2. Upon final approval of the PUD Master Plan and the appropriate Planning and Zoning Ordinance of rezoning, these elements shall become a part of the Official Zoning Districts Map. The Planning and Zoning Ordinance of rezoning shall adopt the PUD Master Plan by reference, and it shall be attached to said Planning and Zoning Ordinance and become a part of the official records of the City of Del City.

3. The PUD Master Plan shall control the use and development of the property, and all building permits and development requests shall be in accord with said Plan until it is otherwise amended by the City. The developer shall furnish a reproducible copy of the approved Master Development Plan Map for signature by the Chairman of the Planning Commission, the Mayor, and the acknowledgment by the City Clerk. The PUD Master Plan, including the signed map and all supporting data, shall be made a part of the permanent file and maintained by the City Clerk.

C. *Step 3. Preliminary Plat*

Upon approval of the PUD Master Plan and the Planning and Zoning Ordinance of rezoning, the developer shall prepare a preliminary plat for the entire development area. Where a recorded plat exists and where there will be no extensive easements, no property owners' associations, which do not conform to the platted lot lines, the Planning Commission may waive the platting requirement.

D. *Step 4. Final Plat*

1. Where a subdivision plat has been required, the developer shall prepare a final plat for review, approval, and filing of record according to procedures established by the Planning Commission and the City of Del City. In addition to these procedures, the final plat shall include:
   a. Provisions for the ownership and maintenance of common open space. Said open space may be dedicated to a private association or to the public provided that a dedication to the public shall not be accepted without the approval of the City.

   b. A homeowners' or property owners' association shall be created if other satisfactory arrangements have not been made for improving, operating, and maintaining common facilities, including private street drives, service and parking areas, and recreation areas.

   c. Covenants shall be submitted to the Planning Commission and City to reasonably insure the continued compliance with the approved PUD Master Plan. In order that the public interest may be protected, the City shall be made a beneficiary of the covenants pertaining to such matters as location of uses, height of structures, common facilities, and access. Such covenants shall provide that the City may enforce compliance therewith.

2. If there is no plat required, then Paragraphs (a), (b), and (c) above shall be submitted and approved as a part of the PUD Master Plan at the time of rezoning.

E. *Step 5. Plot Plan*
A plot plan shall be submitted upon the application for a building permit and reviewed in accordance with procedures established in this Planning and Zoning Ordinance.

SECTION A-503 MODIFICATIONS

A. The Community Services Director shall be permitted to approve minor amendments and adjustments to the PUD Master Plan provided the following conditions are satisfied:
   1. The project boundaries are not altered.

   2. Uses other than those specifically approved in the PUD Master Plan are not added. Uses may be deleted but not to the extent that the character of the project are not substantially altered.

   3. The allocation of land to particular uses or the relationship of uses within the project(s) are not substantially altered.

   4. The density of housing is not increased more than ten (10) percent or decreased by more than thirty (30) percent.

   5. The land area allocated to non-residential uses is not increased or decreased by more than ten (10) percent.

6. Floor area, if prescribed, is not increased or decreased by more than twenty (20) percent.

7. Floor area ratios, if prescribed, are not decreased.

8. Open space ratios, if prescribed, are not decreased.

9. Height restrictions, yard requirements, lot coverage restrictions and other areas, height, and bulk requirements prescribed in the PUD Master Plan are not substantially altered.

10. The circulation system is not substantially altered in design, configuration, or location.

11. The design and location of access points the project are not substantially altered either in design or capacity.

B. The Community Services Director shall determine if proposed amendments to an approved Master Development Plan satisfied, an amended PUD Master Plan shall be submitted for full review and approval according to the procedures set forth in these regulations.

SECTION A-504 REVERSION

A. *Property Owner Request*
If the property owner decides to abandon the PUD Master Plan, he shall make application for rezoning either to the original status or to a new classification. Said application shall be heard according to regular procedures by the Planning Commission and City.

B. *Continuing Review by Community Services Director*
If development of the PUD has not been started within three (3) years of the date of approval of the PUD Master Plan, the Community Services Director may request a report from the applicant/owner to determine the status of the project. Such additional requests may be made as necessary.

SECTION A-505 EXISTING PUD DEVELOPMENTS

PUD's which were adopted prior to this Planning and Zoning Ordinance shall remain in effect under the regulations under which previously adopted.

SIMPLIFIED PLANNED UNIT DEVELOPMENT

SECTION A-520 GENERAL PROVISIONS

The Simplified Planned Unit Development, herein referred to as SPUD, is a Special Zoning District category that provides an alternate approach to conventional land use controls. The PUD may be used for particular tracts or parcels of land that are under common ownership and are to be developed as one unit according to a Master Development Plan Map. The SPUD is subject to special review procedures, and once approved by the City Council it becomes a special zoning classification for the property it represents.

SECTION A-520.1 INTENT AND PURPOSE

The intent and purpose of the Simplified Planned Unit Development are to:

A. Maintain appropriate limitations on the character and intensity of use, assuring compatibility with adjoining and proximate properties, and following the guidelines of the Comprehensive Plan;

B. Encourage efficient uses of land; facilitate economic arrangement of buildings and circulation systems;

C. Encourage innovative development and protect the health, safety and welfare of the community.

SECTION A-520.2 SIMPLIFIED PLANNED UNIT DEVELOPMENT AUTHORIZED

A SPUD may be authorized by an amendment to the official Zoning Districts map after public hearings by the Planning Commission and the City Council, provided it complies with the following requirements:

A. *Location and Use*
A SPUD shall be considered a special zoning district; and it may be authorized for any use or combination of uses permitted in this Zoning Planning and Zoning Ordinance.

B. *Simplified Planned Unit Development Master Plan Required*

1. The basis for review and approval of a PUD application shall be the PUD Master Plan, which shall be adopted as a part of the Planning and Zoning Ordinance of rezoning in conformance with the requirements described in these regulations.

2. The SPUD Master Plan shall consist of two elements, the Design Statement on an application form provided by the City and the Master Development Plan Map.

3. The SPUD Master Plan establishes residential densities, if appropriate, as well as amount, type, and general location of all land uses.

4. The SPUD Master Plan shall serve as the basis for review and approval of all subdivision plats and building permits within the PUD.

C. *Effect of Simplified Planned Unit Development Approval*

1. Approval of a zoning change to SPUD adopts the Master Plan prepared by the

applicant and reviewed as a part of the application. The Master Plan establishes new and specific requirements for amount and type of land use, residential densities, development regulations and location of specific elements of the development, such as open space and screening.

2. The SPUD classification replaces any previous zoning district classification of a parcel.

3. Where there is no provision in the SPUD Master Plan for special Development Regulations, the requirements of the conventional zoning district in which a proposed use or a structure is permitted shall be applied to the development.

SECTION A-520.3 CRITERIA FOR SIMPLIFIED PLANNED UNIT DEVELOPMENT REVIEW AND APPROVAL

A. **Purpose**

The applicant should be prepared to provide amenities and services that may not be required or possible in a conventional development. Review and approval of a SPUD is therefore a process of negotiation between the City government and the applicant to achieve the intents and purposes of these regulations and the Comprehensive Plan. The following factors should be specifically included as review criteria for the evaluation of a SPUD application. Other factors not listed herein may also be considered in the review process in order to respond to specific design and land use proposals.

B. *Design Standards*

1. The proposed SPUD shall be designed to provide for the unified development of the area in accordance with the spirit and purpose of the Comprehensive Plan and the land uses and zoning districts adjacent to it.

2. Design of the SPUD shall be governed by the regulations of only one conventional zoning district, the use regulations of the conventional zoning district can only be modified to decrease, not increase, the number of allowed uses; and the development regulations of the conventional zoning district are modified only to make them more restrictive, not less restrictive.

3. Density, land use, and intensity of use requirements shall be based on the SPUD Master Plan and shall be in conformance with the Comprehensive Plan.

4. Building Code requirements shall not be reduced in the design of a SPUD.

5. The maximum number of dwelling units within a SPUD shall be based on calculation of gross density. Gross density shall be established in the SPUD Master Plan and shall be calculated by dividing the total land area to be developed for residential uses (exclusive of arterial streets) by the number of dwelling units.

6. Location and type of housing shall be established in a general pattern and shown on the Master Development Plan Map.

C. *Minimum Design and Construction Standards for Street and Alleys*

Streets and alleys for SPUD's shall be designed and constructed in accordance with City standards and specifications for right-of-way width and paving cross sections.

1. **Public Streets and Alleys**

   Proposed public street and alley modifications shall satisfy the following criteria:

   a. Street right-of-way and paving shall be adequate to provide a traffic carrying and utility installation capacity related to the design of the individual street, and the land uses served.

   b. Paving cross sections shall be designed to be adequate to provide acceptable drainage in conformity with the drainage plan for the SPUD; to receive loading commensurate with anticipate traffic based on the design of the overall street system; and to have a maintenance level commensurate with that of facilities constructed to regular standards.

2. **Private Street and Alleys**

   Proposed private street and alley modifications shall satisfy the criteria for public facility modifications listed above and the following:

   a. Private streets shall not be connected to an adjacent parcel which is not a part of the SPUD in a manner that will circulate traffic into and through the private street system.

   b. The owner/applicant shall clearly demonstrate the existence and capabilities of a Property Owners Association to provide the ongoing and long-term maintenance of the Private Street and alley facilities that will not be provided by the City.

D. *General Design and Development Guidelines*

1. **Intensities**

   Proposed developments shall conform to the level of intensity guidelines in the Comprehensive Plan and should be developed in a manner and at a scale that will be compatible with adjacent developed neighborhoods.

2. **Amenities**

   Amenities should be considered as an important justification for development and City approval of a SPUD. The applicant should be prepared to provide required or possible services that may not be required or possible in a conventional development such as additional landscaping, usable open space, fencing, curb cuts, limits of no access, sidewalks, and pedestrian ways where necessary to provide for public safety, signage, etc. to provide development compatible with adjacent developments and neighborhoods.

3. **Land Area and Frontage**

   The minimum area and frontage for a SPUD request shall be at least the minimum required by the conventional zoning associated with the proposal. The maximum area for the tract, parcel or land shall be no more than two (2) acres in size.

4. **Streets**
   a. Street design should be innovative and should restrict through traffic from residential areas as much as possible.

   b. Encouragement should be given to design of short local streets serving limited access, such as the residential cul-de-sac.

   c. Local street right-of-way widths shall not be reduced. Utility easements shall be provided as required by policy unless the applicant can provide a letter from each utility company stating that they have no present or future need for a utility easement in the area which abuts the street.

   d. Development of a private street system should be considered appropriate under certain conditions where there is no through traffic.

   e. On-street parking bays or other similar areas where vehicles must be backed into the traffic flow shall not be approved.

5. **Off-Street Parking, Loading and Access**
   All uses shall contain adequate space on private property to provide for parking, loading and maneuvering of vehicles in accordance with the regulations established in the zoning regulations.

6. **Relationship to Abutting Uses**
   a. The Master Development Plan Map should show graphically the treatments that will be employed to separate the PUD from abutting properties, including commitments to landscaping, screening, earth berms, or similar techniques.

   b. It is appropriate to specifically establish areas with height limitations where a transition to more intense uses is proposed or where a higher intensity development is proposed to abut a lower intensity area.

SECTION A-521 SPUD APPLICATION AND REVIEW PROCEDURES

SECTION A-521.1 SIMPLIFIED PLANNED UNIT DEVELOPMENT SUBMISSION REQUIREMENTS

A. The developer and\or builder of a SPUD shall follow a five-step application and review procedure:
   1. Pre-Application Meeting.

   2. Application for Rezoning, Submission of SPUD Master Plan, including the Design Statement on an application form provided by the City, and Master Development Plan Map.

   3. Preliminary Plat, where required by the Subdivision Regulations, if the property is to be divided and sold off as separate tracts.

4. Final Plat, where required by the Subdivision Regulations, if a property is to be divided and sold off as separate tracts.

5. Application for Building Permit and Site Plan Review.

B. Each required step shall be completed and approved before the following step is reviewed. Where appropriate, other methods authorized in the Subdivision Regulations may be substituted in Steps 3 and 4 above. The Planning Commission and may, however, review more than one step at the same public hearing.

C. Public Hearing

1. Public Hearings shall be held on the application for rezoning and the SPUD Master Plan in accordance with regular procedures for zoning applications.

2. Public hearings on required plats shall be held in accordance with regular procedures established in the Subdivision Regulations.

SECTION A-522 SIMPLIFIED PLANNED UNIT DEVELOPMENT REVIEW PROCEDURES

A. *Step 1. Pre-Application Review*

Prior To submitting an application, the applicant should discuss with the Community Services Director the procedure for adopting a Simplified Planned Unit Development and the requirements for the general layout of streets design and narrative, the availability of existing services, and similar matters. The Community Services Director shall also advise the applicant, where appropriate, to discuss the proposed Simplified Planned Unit Development with those officials who must eventually review the various aspects of the proposal coming within their jurisdiction. The intent of the pre-application meeting is to expedite and facilitate the approval of a SPUD Master Plan.

B. *Step 2. Application for Rezoning and SPUD Master Plan*

1. The SPUD application for rezoning shall be filled in accordance with regular procedures and on application forms of the City of Del City. The SPUD Master Plan, which is submitted with the application for rezoning, shall consist of a Design Statement on an application form provided by the City and a Master Development Plan Map. The applicant shall also provide other supporting maps as necessary to meet the submission requirements of this Planning and Zoning Ordinance.

a. The Master Development Plan Map shall be a graphic representation of the development plan for the area, prepared at a scale appropriate for the size of the project but no less than on an 8 ½” by 11” plan. It shall show the following:

(1) Location of existing buildings and proposed buildings (if known);

(2) Location of collector and local streets within the SPUD and adjacent arterial streets;

(3) Sufficient surrounding area to demonstrate the relationship of the SPUD to adjoining uses, both existing and proposed;

(4) Location and approximate size of proposed open space and recreation area;

(5) Areas where access to streets will be limited and location of proposed curb cuts;

(6) Any other pertinent information necessary for review, approval, and administration of the SPUD.

C. *Step 3. Preliminary Plat*

Upon approval of the SPUD Master Plan and the Planning and Zoning Ordinance of rezoning, the developer shall prepare a preliminary plat for the property that has not been platted, should the developer of said property decide to sell individual tracts within the SPUD, the developer shall prepare a preliminary and final plat for the entire development area. Upon approval of a SPUD where a recorded plat exists and where there will be no extensive easements, no property owners' association, no plat restrictions, and no sale of lots which do not conform to the platted lot lines, preliminary and final platting shall not be required.

D. *Step 4. Final Plat*

1. Where a subdivision plat has been required, the developer shall prepare a final plat for review, approval, and filing of record according to procedures established by the Planning Commission and the City Council. In addition to these procedures, the final plat shall include:

   a. Provisions for the ownership and maintenance of common association or to the public provided that a dedication to the public shall not be accepted without the approval of the City Council.

   b. A homeowners' or property owners' association shall be created if other satisfactory arrangements have not been made for improving, operating, and maintaining common facilities, including private street drives, service and parking areas, and recreation areas.

E. *Step 5. Plot Plan*

A plot plan shall be submitted upon the application for a building permit and reviewed for compliance with the SPUD documents.

SECTION A-523 MODIFICATIONS

A. The Community Services Director shall be permitted to approve minor amendments and adjustments to the PUD Master Plan provided the following conditions are satisfied:

1. The project boundaries are not altered.

2. Uses other than those specifically approved in the SPUD Master Plan are not added. Uses may be deleted but not to the extent that the character of the project are not substantially altered.

3. The allocation of land to particular uses or the relationship of uses within the project are not substantially altered.

4. The density of housing is not increased more than ten (10) percent or decreased by more than thirty (30) percent.

5. The land area allocated to non-residential uses is not increased or decreased by more than ten (10) percent.

6. Floor area, if prescribed, is not increased or decreased by more than twenty (20) percent.

7. Floor area ratios, if prescribed, are not increased.

8. Open space ratios, if prescribed, are not decreased.

9. Height restrictions, yard requirements, lot coverage restrictions and other areas, height, and bulk requirements prescribed in the SPUD Master Plan are not substantially altered.

10. The circulation system is not substantially altered in design, configuration, or location.

11. The design and location of access points the project are not substantially altered either in design or capacity.

B. The Community Services Director shall determine if proposed amendments to an approved Master Development Plan satisfied the above criteria. If the Community Services Director finds that these criteria are not satisfied, an amended SPUD Master Plan shall be submitted for full review and approval according to the procedures set forth in these regulations.

SECTION A-524 REVERSION

A. *Property Owner Request*
If the property owner decides to abandon the SPUD Master Plan, he shall make application for rezoning either to the original status or to a new classification. Said application shall be heard according to regular procedures by the Planning Commission and City Council.

B. *Continuing Review by Community Services Director*
If development of the SPUD has not been started within three years of the date of approval of the SPUD Master Plan, the Community Services Director may request a report from the applicant/owner to determine the status of the project. Such additional requests may be made as necessary.

SECTION A-525 EXISTING SPUD DEVELOPMENTS

SPUD's which were adopted prior to this ordinance shall remain in effect under the regulations they were adopted (prior to March 19, 2001).

CHAPTER 6
SUBDIVISION REGULATIONS

ARTICLE A
GENERAL PROVISIONS

SECTION A-601 PURPOSE

A. The subdivision of land is the first step in the process of urban development. The regulation of land subdividing within a formalized procedure provides for the evolution of a contract between the landowner (developer) and governmental entity acting in behalf of the public and for the benefit of subsequent individual owners and/or tenants. Precise commitments concerning a described geographic area of proposed urban development are specifically set forth in relation to and in accord with graphic and written documentation as filed of record.

B. The arrangement of land parcels in the community for residential, commercial and industrial uses and for streets, alleys, schools, parks and other public purposes, will determine to a large degree the conditions of the health, safety, economy and amenity that prevail in the urban area. The quality of these conditions is of public interest. These regulations and standards for the subdivision and improvement of land for urban use are to make provisions for adequate light, air, open spaces, drainage, transportation, public utilities and other needs, to insure the development and maintenance of a healthy, attractive and efficient community that provides for the conservation and protection of its human and natural resources.

C. In construing this chapter, it is intended that these provisions be administered so as to create an environment which will provide the setting for the accomplishment of the best possible quality of life for all of the citizens of the City and in a manner that will insure the minimum adverse effect to the environment.

D. This chapter is designed, intended and should be administered in a manner to:
   1. Implement the future Del City General Plan in relation to:
      a. The use of land and land use relationships;
      b. The transportation system including but not limited to highways, streets, alleys, bicycle paths, bicycle lanes, sidewalks;
      c. Community facilities including recreational and educational facilities, fire stations, etc.
      d. The extension or expansion of the sanitary sewer system including adequate easements to accommodate lines and facilities;
      e. The extension or expansion of the water distribution system and the provision of fire hydrants including adequate easements to accommodate lines and facilities;
      f. The appropriate disposition of surface runoff water; and
      g. The accommodation of all other utilities within adequate easements;

2. Provide neighborhood conservation and prevent the development of slums and blight;

3. Harmoniously relate the development of the various tracts of land to existing urban development and facilitate the future development of adjoining tracts;

4. Provide that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners or developers of the tract;

5. Provide the best possible design for the tract;

6. Resolve any differences of interest;

7. Establish adequate, accurate and accessible public records of land subdivision; and

8. Insure a maximum effort for the protection of the environment and to encourage, in the development of land, the minimum adverse effect thereto.

E. This chapter intends to require that all land located in the City be platted in conformance with these provisions prior to the actual accomplishment of urban and suburban development and that an approved final plat shall be filed of record prior to the issuance of a required building permit for the development of any and all institutional, industrial, commercial and urban and suburban residential uses.

SECTION A-602 AUTHORITY

In order to promote the health, safety and general welfare of present and future residents, and to bring about the coordinated, efficient and economic development of the City, the following regulations for the subdividing and developing of land within its corporate limits are adopted pursuant to all of the powers and authority derived from the constitution and statutes of the state.

SECTION A-603 JURISDICTION

This chapter shall apply to the following forms of subdividing and/or developing of land within the corporate limits of the City:

1. The dividing of land into two (2) or more tracts, lots, sites or parcels, any part of which, when subdivided, shall contain less than five (5) acres in area;

2. The re-dividing of previously platted land in tracts, lots, sites or parcels, any part of which, when re-divided, shall contain less than five (5) acres in area;

3. The dedicating, vacating or reserving of any public or private easement through any tract of land regardless of the area involved, including those for use of public and private utility companies;

4. The dedicating or reserving of any street or alley or any part thereof through any tract of land regardless of the area involved;

5. Planned Unit Development as defined in this Planning and Zoning Ordinance;

6. The development of any parcel of land classified by zoning district as multifamily;

7. Any commercial or industrial development regardless of the size of the lots; and

8. Any tract, lot, site or parcel of land, regardless of size, which is to be developed and on which exists or will exist, because of such contemplated development any topographic feature of improvement requiring the dedication or reservation of any easement, public or private, under the provisions of this chapter.

ARTICLE B
GENERAL PROCEDURE: ADMINISTRATION

SECTION A-610 PLAT APPROVAL; FINAL AND PRELIMINARY

For all cases of subdividing and development within the scope of this chapter, or where construction of improvements is desired for commercial or industrial purposes, or for any purpose where the general public is invited, a preliminary and a final plat of the land in question shall be drawn and submitted to the Planning Commission and City Council for their approval or disapproval, as provided in this chapter.

SECTION A-611 RELATION TO ZONING

In order to provide adequate information for evaluation and decision by the Planning Commission and the City Council, and to provide documentation of intent for public record, the following requirements are mandatory:

1. A rezoning request which includes any amount of un-platted land shall be accompanied by a preliminary plat of the land in question, and any adjacent land in which the applicant owns any interest, direct or indirect or which is under option to buy by the applicant; provided, however, that any land for which a plat is not required as a prerequisite for a building permit is exempted from this requirement. The preliminary plat shall be submitted for consideration as an agenda item before the Planning Commission simultaneously with the rezoning request;

2. In the instance of a proposed planned unit development(s), twenty (20) copies of a site development plan shall also be included with the submission of the preliminary plat when application is made for Planning Commission approval; and

3. No final plat may be considered for acceptance by the Planning Commission or by the City Council until the proper zoning in terms of density, lot size, and land use is in full force and effect regarding the subject property.

SECTION A-612 AGENDA

Each plat submitted for preliminary or final approval shall be placed on the Planning Commission's agenda only after fulfilling the appropriate requirements of this chapter.

SECTION A-613 FILING FEE

A. To defray the costs of notification and of field, Engineering, and special studies, a filing fee shall be paid to the Community Services Director in the amount established by Resolution of the City Council.

B. Where only a portion of an approved preliminary plat is submitted for final platting, a final plat of the remaining area may be submitted at any time within two (2) years of the preliminary plat approval without payment of an additional filing fee by the sub divider if the final plat for the additional area conforms substantially with the approved preliminary plat.

C. After a period of two (2) years from the date of approval of the preliminary plat, the Planning Commission shall review the approved preliminary plat in the instance of

changed circumstances and conditions and the Planning Commission, may, if appropriate, extend the preliminary plat approval for an additional two years. In any instance where a final plat includes a rerouting of a collector street, a change in relationship between uses of land or a request for a change of specific elements of a preliminary plat, then the preliminary plat shall be reviewed, and if preliminary plat has expired, the sub divider shall pay a full plat filing fee on that part of the preliminary plat not previously filed of record as a final plat.

SECTION A-614 OPTIONAL SKETCH PLAT

Prior to the filing of a preliminary plat and payment of any filing fee, a person who wishes to propose a subdivision of land for informal consideration by the Planning Commission may file with the Planning Commission a sketch of the proposed subdivision which indicates, in general, the area to be subdivided, the street layouts, lots and blocks and the general nature of improvements. The sketch may be in freehand pencil form. Such sketch plat is to be for informational purposes only and shall be neither approved nor disapproved formally by the Planning Commission. The Planning Commission may, should it choose, make recommendations to the person submitting the sketch plat of items to be incorporated in the preliminary plat. No recommendations made or any other action taken by the Planning Commission concerning the sketch plat shall in any way be binding upon the Planning Commission or the City. No sketch plat shall be required as a condition precedent to the filing of a preliminary plat. The filing of a sketch plat shall not require the payment of any filing fee.

SECTION A-615 OFFICIAL RECORDING

No plat or description of land subdivision shall be filed in the office of the County Clerk, until it has received preliminary and final approval by the Planning Commission, and final approval by the City Council as required by law. All final plats shall be filed, if approved by the City Council, within ninety (90) days of the date of approval by the City Council; and no lots shall be sold from any plat until it has been recorded as herein provided. Failure to record such approved plat within the ninety (90) day period shall void all approvals thereto.

SECTION A-616 ISSUANCE OF PERMITS

No building permit shall be issued for any purpose with respect to any tract within a suburban or an urban area or within property zoned for commercial or industrial purposes until a final plat has been duly processed as required by law and filed of record.

SECTION A-617 ADMINISTRATION AND AMENDMENT

The Planning Commission and the City Council may, from time to time, adopt, amend and make public rules and regulations for the administration of this Planning and Zoning Ordinance to the end that the public be informed and that approval of plats be expedited. This Planning and Zoning Ordinance may be enlarged or amended by the City Council after public notice, public hearing, and a recommendation from the Planning Commission, due notice of which shall be given as required by law.

SECTION A-618 VALIDITY

If any provision, clause, part or portion of this chapter is held to be invalid, or to be in conflict with any lawful order, rule or regulation of the state, or any of its agencies which the order, rule or regulation

lawfully supersedes the provisions of this chapter, by a court of competent jurisdiction and by final order, the remaining provisions, clauses, parts or portions thereof shall remain in full force and effect.

SECTION A-619 PENALTIES

A. Any individual or legal entity convicted of violating or failing to comply with the provisions of any section or subsection of this chapter shall be punished by monetary fine in an amount allowed by the general penal provision of the Del City Municipal Code.

B. Each day that a violation is permitted to exist shall constitute a separate and distinct offense, providing that any one or more of such offenses may be set out in any complaint or information filed pursuant to the provisions of this code.

ARTICLE C
DESIGN

SECTION A-625 URBAN DESIGN PRINCIPLES

The quality of design of the urban area is dependent on the quality of design of the individual subdivisions that compose it. Good community design requires the coordination of the efforts of each sub divider and developer of land within the urban area. Therefore, the design of each subdivision shall be prepared in accordance with the principles established by the Del City General Plan for land use, circulation, community facilities and public utility services and in accordance with the following general principles:

1. It is intended that the Del City urban area shall be designed as a group of integrated residential neighborhoods and appropriate commercial, industrial and public facilities. The neighborhood, as a planning unit, is intended as an area principally for residential use, and of size that can be served by one elementary school. Space for religious, recreational, educational and shopping facilities to serve the residents of the neighborhood should be provided and designed as an integral part of each neighborhood;

2. The size of lots and blocks and other areas for residential, commercial, industrial and public uses should be designed to provide adequate light, air, open space, landscaping with living plants and off-street parking and loading facilities;

3. The arrangement of lots and blocks and the street system should be designed to make the most advantageous use of topography and natural physical features. Tree masses and large individual trees should be preserved. The system of sidewalks, bicycle paths and roadways and the lot layout should be designed to take advantage of the visual qualities of the area;

4. Circulation within the urban area should be provided in accordance with the following design principles:
   a. Major streets should be located on the perimeter of the residential neighborhood;

   b. Minor streets should be designed to provide access to each parcel of land under separate ownership and to sub-areas of apartment complexes within residential district in a manner that will discourage use by through traffic. They should be planned so that future expansion will not require the conversion of minor streets to major streets;

   c. Commercial or industrial subdivisions should have access to a major street by means of a street system designed for such use, but they should not have access to residential streets in such a manner that encourages or promotes the movement of foreign traffic through residential neighborhoods;

   d. Collector streets should be designed to provide a direct route from other minor streets to the major street and expressway system and to provide access to public facilities within the neighborhood; however, collector streets should not be aligned in a manner that will encourage their use by through traffic;

e. Ingress and egress to single family residential properties should be provided only on minor streets;

f. Pedestrian ways should be separated from roadways used by vehicular traffic. Sidewalks should be designed to provide all residential building sites with direct access to all neighborhood facilities, including the elementary school, parks and playgrounds, churches and shopping centers; and

g. Bicycle lanes and bicycle paths should be separated from vehicular and pedestrian traffic and should be designed to provide access to major focal points within and beyond the neighborhood; and

5. Minimum standards for development are contained in this Planning and Zoning Ordinance (including this chapter).However, the Del City General Plat expresses policies designed to achieve optimum quality of development in the urban and suburban areas. If only the minimum standards are followed, as expressed by the various Planning and Zoning Ordinances regulating land development, a standardization of minimum development will occur. This will produce a monotonous urban setting. Subdivision design should be of a quality to carry out the purpose and spirit of the policies expressed in the Del City General Plan and in this chapter rather than be limited to the minimum standards required herein.

SECTION A-626 SUBDIVISION DESIGN STANDARDS; ALLEYS

A. Alleys shall be provided in commercial and industrial districts, except that this requirement may be waived where, in the opinion of a majority of the memberships of the Planning Commission, other definite and assured provision is made for utility easements, emergency access and service access, such as off-street loading, unloading and parking consistent with and adequate for the uses proposed.

B. Alleys serving commercial and industrial areas shall not be less than thirty (30) feet in width.

C. Alleys are not required for residential areas, but when provided shall not be less than twenty (20) feet in width.

D. Alley intersections and sharp changes in alignment shall be avoided, but where necessary corners shall be cut off sufficiently to permit safe vehicular movement.

E. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead-end, as determined by either the Fire Chief or Community Services Director.

SECTION A-627 ACCESS AND AVAILABILITY OF FIRE AND POLICE PROTECTION AND SANITATION

In the development of land in the urban area, whether according to traditional patterns or under a variation of Planned Unit Development, adequate consideration shall be given to fire, sanitation and police protection. Pursuant to this end, the following guidelines are mandatory:

1. No dwelling unit site shall be located more than four hundred (400) feet, measured from the extremity of the site, from an accessible street improved to City standards;

2. Each dwelling unit shall have an entry located not more than one hundred and fifty (150) feet from a parking lot, private drive or public street, accessible and usable for emergency vehicles; and

3. All building facades shall be serviced by fire hydrants installed in accord with the standards and specifications of the Del City Municipal Code, and be so located such that totality of each facade can be serviced by not more than three hundred (300) feet of fire hose laid down by a fire vehicle.

SECTION A-628 BLOCKS

A. The lengths, widths and shapes of blocks shall be determined with due regard to the following:
   1. Provision of adequate building sites suitable to the special needs of the type of use contemplated;
   2. Zoning requirements applicable to lot sizes and dimensions;
   3. Needs for convenient access, circulation, control and safety of street traffic; and
   4. Limitations and opportunities of topography.

B. Blocks for residential use shall not be longer than fifteen hundred (1,500) feet, measured along the centerline of the block. When a block exceeds seven hundred (700) feet in length, the Planning Commission may require a dedicated easement not less than five (5) feet in width and a paved crosswalk not less than five (5) feet in width with a forty eight (48) inch high chain link fence on both sides.

C. Blocks used for residential purposes should be of sufficient width to allow for two (2) tiers of lots of appropriate depth, except in those cases where one tier of lots backs onto a railroad, a major street as defined herein or a different use area.

D. Blocks intended for business and industrial use should be of a width and depth suitable for the intended use, with due allowance for off-street parking and loading facilities and such blocks shall abut a street dedicated to the public on at least one side.

SECTION A-629 BUILDING LINES

A. Front yard building lines and exterior side yard building lines shall be provided in accordance with the front yards and exterior side yards established for the various districts in this Planning and Zoning Ordinance.

B. Restrictions requiring buildings to be located within the building lines shown on the plat shall be set forth on the plat.

SECTION A-630 EASEMENTS

A. The sub divider shall dedicate to the public appropriate easements to the end that each and every lot, piece or parcel of land within a subdivision shall have access to all available essential public utilities.

B. Where alleys are not provided, easements not less than ten (10) feet wide shall be provided along the rear of each lot and along the side lot lines, where necessary, for use by public and private utilities. Aerial easements and easements of greater width for either the extension of main storm and sanitary sewers and other utilities or the accommodation of utilities in unique situations such as, but not limited to, lots rearing into un-platted land may be required where it is deemed necessary on advice for the Community Services Director.

C. Where a subdivision is traversed by a watercourse, drainage channel or stream, there shall be provided a right-of-way and access thereto for drainage and public parks and public utility purposes in accord with this Planning and Zoning Ordinance and the Del City Municipal Code.

D. Pipe lines carrying petroleum products shall be located in a dedicated easement of not less than fifty (50) feet in width. The required width of a dedicated easement may be greater than fifty (50) feet on the advice of the Community Services Director.

SECTION A-631 LOTS

A. Residential lots for single family detached dwelling units and duplexes shall be not less than sixty (60) feet in width at the front building line and shall abut a street a distance of not less than thirty-five (35) feet.

B. Residential lots for multifamily development shall abut a public street for a distance of not less than fifteen percent (15%) of the sum of the perimeter dimensions of the lot; provided, however, that for lots located at the terminal end of the cul-de-sac this requirement may be reduced to ten percent (10%) of the sum of the perimeter dimensions of such lots.

C. Side lot lines shall be approximately at right angles to straight street lines or radial to curved street lines.

D. The depth of residential lots, other than townhouse lots, shall not be less than one hundred (100) feet.

E. The area of residential lots shall not be less than that which is required by this Planning and Zoning Ordinance.

F. Double frontage and reverse frontage lots should be avoided except where they are needed to provide for the separation of residential development from major streets or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet shall be provided along the portion of the lots abutting such a major street or other uses where screening is required. There shall be no right of access across a planting screen easement, except where sidewalks and/or

bicycle paths are deemed appropriate.

G. For corner lots, but not including those in mid-block siding on crosswalk rights-of-way, a twenty-five (25) foot site triangle with chord shall be required; provided, however, if in the opinion of the Planning Commission there is an existing or potential future need, a larger cutback not to exceed forty (40) feet may be required. On lots reserved to business use, the cutback shall not be less than twenty-five (25) feet.

H. Corner lots, including those in mid-block siding on a crosswalk right-of-way and abut or key lots for residential use shall be at least ten (10) feet wider than interior lots.

I. Lots are not required for subdivisions for commercial and industrial use where a block is to be developed and retained under a single ownership. When provided, lots should be of appropriate size and arrangement to provide for adequate off-street parking and loading facilities based on the intended use and such lots shall abut a public street, frontage or otherwise, on a minimum of one side.

SECTION A-632 PLANNED UNIT DEVELOPMENT

Whenever a subdivision is developed as a neighborhood unit, as defined in the Del City General Plan, wherein adequate park or playground area is provided, through traffic is adequately cared for and the majority of the minor streets are of the cul-de-sac and loop type, or whenever a Planned Unit Development or Simplified Planned Unit Development, as defined in this Planning and Zoning Ordinance for residential, commercial or industrial use is proposed, the Planning Commission may vary the requirements of this chapter of this Planning and Zoning Ordinance in order to allow the sub divider more freedom in the arrangement of streets and lots, but at the same time protect the convenience, health, safety and welfare of the future residents of the development as well as the character of the surrounding property and the general welfare of the future residents of the development as well as the character of the surrounding property and the general welfare of the entire community. In no case however, shall the proposed design violate the requirements of this Planning and Zoning Ordinance which regulates the design of a planned unit development, and in no instance shall this be construed in such a manner as to circumvent the requirement for adequate streets, easements, alleys and other essential requirements of urban development.

SECTION A-633 PUBLIC AREAS AND OPEN SPACE

Public parks, playgrounds, school sites and other public areas and open spaces and public rights-of-way thereon shall be provided in accordance with the requirements and standards set forth in the Del City General Plan and in the policies of the City of Del City, and this Planning and Zoning Ordinances relating thereto.

SECTION A-634 STREETS

It is the intent of this section of this Planning and Zoning Ordinance that all lots and blocks provided in a subdivision abut on a street adequate to accommodate all traffic generated in a reasonable and safe manner. The arrangement, character, extent, width, grade and location of all streets shall conform to all of the elements of the Del City General Plan, the Del City Municipal Code, and the regulations relating thereto and they shall be designed in accordance with the following provisions:

1. Each subdivision shall provide for the continuation of all major streets and highways.

2. Residential development adjacent to a major street designated on the adopted Del City General Plan or Major Streets and Highways Plan shall comply with the following:
   a. Only backing or siding residential lots shall be used adjacent to the above-described highways unless a frontage road is provided for local access purposes. This shall not apply to any residential lots two (2) acres or more in size;

   b. Steel mesh fencing at least four (4) feet high with permanent evergreen plant screening, or an opaque fence as approved by the Planning Commission, shall be installed by the developer within the required screening easement at the right-of-way lines behind or at the side of residential lots and shall be maintained by the developer for two (2) years from the date of installation. When planted, the evergreen plants shall be at least three (3) feet high. Any plants which are not in good condition at any time within the two (2) year-period, shall be replaced by the sub divider;

   c. There shall be no openings for vehicular access onto the above-described traffic ways except at street intersections, bicycle path intersections and at approved openings to commercial areas;

   d. Collector and minor streets shall not open onto a major street except at an average interval of not less than one quarter (1/4) mile measured from the centerlines; and

   e. In any area where lots back onto a major street or onto any section line road, no curb cuts, gates in fences or openings of any other kind shall be made or permitted from such lots backing onto the traffic-ways at any time;

3. Commercial and industrial subdivisions shall provide access from each parcel to a major street by means of a street system designed for such use, but they shall not have access to residential streets in a manner that encourages or promotes the movement of foreign traffic through residential neighborhoods;

4. Minor streets shall be laid out so that their use by through traffic will be discouraged;

5. Collector streets shall be used in the subdivision wherever traffic is being collected from minor streets to provide access to a major street or community facility. Any street shall be deemed a collector street when it serves more than fifty (50) dwelling units;

6. Ingress and egress to multifamily areas having fifty (50) or more units shall be provided only on collector streets of frontage roads of appropriate design;

7. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land may be required. Such distances also shall be determined with due regard for the requirements of approach grades and future grade separation structures;

8. Reserve strips controlling access to streets shall be prohibited except where their control is placed with the City under conditions approved by the Planning Commission;

9. A tentative plan of a proposed future street system shall be shown on the preliminary plat;

10. When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of future streets and appropriate re-subdivision, with provision for adequate utility easements and connections for such re-subdivision;

11. A street crossing another street should continue on the same alignment; however, if it does not, then the off-set shall not be less than one hundred twenty-five (125) feet measured from the street centerlines;

12. Street right-of-way widths shall be in accordance with the Del City General Plan, this Planning and Zoning Ordinance, and the Del City Municipal Code and specifications,

13. The grades and the horizontal and vertical alignment for all streets shall be in accord with the Del City Municipal Code and specifications.

14. Streets designed for local service only, such as cul-de-sac and loop streets, shall be used to the maximum feasible extent in the subdivision. Streets adjacent to (or separated there from only by a single row of lots) public use areas shall be connected thereto with appropriate sidewalks and bicycle paths in dedicated easements;

15. A cul-de-sac shall not exceed five hundred (500) feet in length, measured from the centerline of the intersecting street to the center of the turnaround, and if more than one hundred fifty (150) feet in length shall be provided with a circular turnaround having a radius of not less than fifty (50) feet at the property line and not less than thirty-eight (38) feet at the face in front of the curb;

16. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of this chapter; and provided that it is found in the public interest to obtain the dedication of the other half of the street easement when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided and under the ownership of the sub divider with remaining half of the street shall be platted within such tract;

17. The arrangement of streets shall be such as to cause no undue hardship either on a sub divider or in the subdividing of adjacent properties. The dedication of street rights-of-way to facilitate the development of adjoining properties may be required.

18. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names and house numbers shall be subject to approval of the Community Services Director;

19. Vehicular entrances to commercially or industrially zoned or used areas shall be no closer to the intersection of adjacent streets and roads than one hundred (100) feet measured along the curb from the outside limits of the curb line extended to the closest edge of the drive; and

20. Vehicular entrances to and exits from shopping centers shall be at least three hundred

fifty (350) feet apart centerline to centerline on the some rood; provided, however, that an entrance and an exit within twenty (20) feet of each other, at the property line, shall be interpreted to be a single point of access.

ARTICLE D
IMPROVEMENTS

SECTION A-640 PURPOSE

A. The statement of conditions and commitments associated with urbanization is a matter of concern to both public and private interests of the community. It is essential that the commitments of the landowner (developer), the commitments of the City and the conditions associated with land subdivision be set forth in a precise manner which will clearly specify intent and the nature of the obligations and conditions assumed by all parties involved.

B. It is the purpose of this article to specify the nature of improvements which shall be required in conjunction with the subdividing and development of land; to identify the methods required improvements will be accomplished; and further to prohibit the issuance of a building permit for construction within a recorded, platted subdivision prior to the completion and City acceptance of all required off-site improvements within the subdivision.

SECTION A-641 IMPROVEMENTS REQUIRED

A. Unless specifically excluded or excepted in this chapter, a sub divider shall install the following improvements in accordance with this Planning and Zoning Ordinance, the Del City Municipal Code, and the standards and specifications adopted for such improvements:

1. Alleys;

2. Fencing and permanent evergreen plant screening;

3. Fire hydrants shall be of the brands specified in a resolution of the City Council. All Fire hydrants shall meet AWWA specifications. Hydrants shall be equipped with hose connections meeting the National Standard fire hose thread and the National Standard operation;

   A cul-de-sac shall have "o" ring stuffing box. All hydrants or Sentinel Series J. Type of hydrants shall be two-piece barrel construction with breakable safety flange at ground line. Size of pipe connection shall be six-inch with mechanical joint ends. Direction hydrant turns to open shall be counter-clockwise. Hydrants shall be painted red in color. The diameter of valve seat shall be five (5) inches or larger. The number and size of nozzles shall be as follows: 2 - 2½” and 1 - 4½”.Hydrant lubricant is to be furnished with each hydrant. Each utility contractor shall submit with his building permit application, the manufacturer's brochure on the fire hydrants to be installed.

4. Sanitary sewers;

5. Sidewalks;

6. Storm sewers, surface water retention facilities and appurtenant drainage structures; when required to drain any part or all of the subdivision;

7. Streets; and

8. Water mains.

B. Hereafter in this article, the phrase "required improvements" shall refer to and mean these eight (8) enumerated required improvements located within the boundaries of the subdivision; and the phrase "off-site improvements" shall be construed as including these eight (8) enumerated required improvements located outside of the boundaries of the subdivision.

SECTION A-642 IMPROVEMENTS TO BE LOGICAL EXTENSION OR EXPANSION

The development plan for all required improvements and all required off-site improvements shall be approved by the City only after it is found that a proposed development, when considered in conjunction with the entire subdivision and the areas surrounding or adjacent to it, will contain public utilities and improvements which will be consistent, compatible and homogeneous with and will constitute logical and orderly extensions of existing public improvements, as well as future improvements to be installed within and without the boundaries of the subdivision.

SECTION A-643 REQUIRED PLANS AND THEIR APPROVAL

A. Coincident with the submission of the final plat for consideration by the Planning Commission and prior to the installation and construction of the required improvements within any subdivision, and the required offsite improvements, plans and specifications therefore shall be prepared by a Registered Professional Engineer and submitted to the City. The Community Services Director shall, if warranted, after the examination and inspection of the plans and specifications submit to the Planning Commission and thereafter to the City Council a report that, in his opinion, the plans and specifications comply with all current Planning and Zoning Ordinances, the Del City Municipal Code, and the adopted standards and specifications applicable thereto. No installation or construction of any public utility, required improvement, or required offsite improvement shall be commenced without approved plans and specifications, and a building permit for the proposed improvements issued by the Community Services Director.

B. Plans for the required improvements and the required off-site improvements herein required shall be submitted for approval as follows:

1. Prior to the submission of the final plat for consideration by the Planning Commission, five (5) sets of "check" prints of the plans and specifications for all required improvements shall be filed with the City through the Community Services Director; if any off-site improvements were required, five (5) sets of “check” prints of the plans and specifications for the off-site improvements shall also be filed with the City through the Community Services Director.

2. Upon approval of the “check” prints or revised check prints, eight (8) sets of all plans and specifications for all required improvements and the required off-site improvements shall be filed with the City through the Community Services Director for final approval concurrent with the submission of the request for consideration of the final plat by the Planning Commission.

C. City approval of the plans for the required improvements and the plans for any required off-site improvement or any part thereof is null and void one (1) year from the date of the approval unless the required improvements and any required off-site improvements are under construction and will be completed within ninety (90) days. Plans for which approval has expired shall be resubmitted for review and current approval before any work is undertaken on the subdivision and coincident with any consideration of the renewal of a corporate surety bond associated therewith; provided, however, this shall not preclude the City from instituting a legal action to recover under the corporate surety bond.

SECTION A-644 PERMIT ISSUED BY COMMUNITY SERVICES DIRECTOR PRIOR TO ANY CONSTRUCTION OF OFF-SITE IMPROVEMENTS

A permit issued by the Community Services Director shall be required prior to any construction of off-site improvements located within street and alley rights-of-way, and a permit issued by the Community Services Director shall be required prior to any construction of off-site improvements to be located in utility or drainage easements, as required by this Planning and Zoning Ordinance. Before any such permit is issued, it shall be approved by the Community Services Director .The fee for the construction permit or permits shall be established by Resolution of the City Council.

SECTION A-645 ACCOMPLISHMENT OF IMPROVEMENTS; GENERAL PROCEDURE

No building permit shall be issued for any lot prior to the construction of the required improvements and the required off-site improvements and the acceptance of the improvements by the City, except as authorized by Section A-647 of this Planning and Zoning Ordinance.

SECTION A-646 PROCEDURE AND BOND

A. Except as provided in this Planning and Zoning Ordinance, all of the required improvements and any required off-site improvements required herein shall be constructed prior to the filing of a final plat and approval by the City Council; the procedure shall be as follows:

1. Coincident with the consideration for approval of the final plat by the Planning Commission, the sub divider shall submit a written request indicating in specific detail the required improvements and required off-site improvements which he proposes to install and construct prior to the filing of the approved final plat;

2. The City Manager and Community Services Director shall review the request and submit a written report to the Planning Commission noting specific problems if any;

3. Subsequent to the decision of the Planning Commission and City Council that the final plat is in order and that the program for accomplishing all required improvements and required off-site improvements is feasible and not contrary to the public interest, they may approve the installation and construction of any or all required improvements and required off-site improvements by the sub divider prior to the filing of the final plat and as a condition is approving the final plat;

4. In all cases where the City Council approves a program of construction of required the required improvements and the required off-site improvements prior to the filing of a final plat, the final plat, without benefit of required signatures of City officials, shall be held in escrow by the City through the Community Services Director. It shall not be released for any purpose until the approved program of construction is completed and all required improvements and all required off-site improvements are accepted by action of the City Council .Subsequent to the acceptance of all required improvements and all required off-site improvements included in the construction program and the accomplishment of all other commitments, if any, of the sub divider, the final plat shall be executed by the City and recorded at the county courthouse;

5. The procedure for approving and accepting required improvements and required off-site improvements installed and constructed under this method shall be the same as for any other required off-site improvement;

6. An approved program of construction under this method shall be completed within a period of one year. One year from the date of approval, the approval of any construction program which has not been inaugurated shall become null and void. One year from the date of approval, the approval of any construction program which is still in process shall be reviewed by the Planning Commission which they shall take such action as deemed necessary; and

7. Any approved program of construction may be amended; however, such amendment shall require approval of the Planning Commission and City Council.

SECTION A-647 SUBDIVISION BOND TO SECURE CONSTRUCTION

A. The sub divider may request that the Planning Commission and City Council approve the final plat and accept the public dedications within the subdivision in the absence of the actual installation and construction of certain required improvements and certain required off-site improvements. When such request is made, the sub divider shall provide the Planning Commission with a written request setting forth the reasons for approval of the final plat prior to the completion of construction and installation of certain specified improvements; provided, however, that all water mains, streets, storm sewers and drainage structures, sanitary sewers, permanent markers and fire hydrants shall be constructed and the installation completed before approval by the Planning Commission and City Council of any final plat. The request, if made of the sub divider for approval of the final plat prior to the completion of construction of improvements, shall apply only to alleys, fencing, screening, permanent evergreen plant screening, and sidewalks.

B. If the sub divider makes the request hereinabove referred to in subsection A, the request shall be accompanied by an acceptable corporate surety bond to the City. The bond shall be approved as to form and legality by the City attorney. The terms of the bond (hereinafter referred to as a "subdivision bond") shall provide that it be conditioned that if the sub divider has not, within two (2) years from the date of City acceptance of the subdivision bond, completed the installation and construction of all required improvements within the subdivision and all required off-site improvements,

then and in such event, the City Council may allow the renewal of the subdivision bond in those cases where adequate reasons exist and where no hardship or significant inconvenience will accrue to the City, or the sub divider and/or his surety shall be required to forthwith pay over to the City a sum sufficient to contract, after competitive bidding, for the installation and construction of all of the required off-site improvements not theretofore installed and constructed by the sub divider. No sub divider shall consummate any sale of any property within the subdivision by lot and block reference to the plat until such time as the subdivision bond has been submitted to and accepted by the City Councilor the required improvements and the required off-site improvements have been first installed and constructed therein. Moreover, the sub divider posting the bond shall assume full responsibility for assuring the construction of required improvements and the required off-site improvements, and any action of the City to secure compliance shall be against that original sub divider or the surety.

C. In lieu of depositing a corporate surety bond as provided in Section A-647(A), the sub divider may submit to the City Council through the City Manager an amount of cash or a certificate of deposit equal to the surety bond required. The terms of the cash surety shall provide that the cash surety be conditioned in precisely the same manner as the corporate surety bond. An irrevocable letter of credit issued by a bank may be used in lieu of the cash or certificate of deposit, however, the City Attorney must approve the irrevocable letter of credit as meeting the requirements included in this Planning and Zoning Ordinance.

D. In the event that the sub divider is the principal on any delinquent corporate surety bond, the obligations of which have not been fulfilled, the sub divider shall be required to provide as surety, cash or certificate of deposit for any improvement not installed and/or constructed by the sub divider prior to the filing of the final plat.

E. It shall be the responsibility of the sub dividers posting any form of surety bond, cash or certificate of deposit to inform the City Council when his obligations under the surety have been fulfilled and to request release from the times and conditions of the posted surety. The sub divider's obligation shall not be considered fulfilled until the City Council of the City has expressly released the sub divider from his obligation. Regardless of the principal amount of the bond, the sub divider shall be responsible for payment of the cost, in full, incurred by the City for all materials and labor used in the construction of the improvements in the event it is necessary for the City to complete the construction.

F. Any bond shall be in the principal sum equal to one hundred thirty percent (130%) of the current cost for all labor and materials required in the construction and installation of the required improvements and any required off-site improvements. The current cost shall be certified by the estimate of a registered professional Director, licensed to practice in the State of Oklahoma, certifying that the bond amount is at least one hundred thirty percent (130%) of the current cost of constructing the bonded improvements.

SECTION A-648 COMPLETION AND CITY ACCEPTANCE OF PUBLIC IMPROVEMENTS

A. At such time as the sub divider has completed the installation and construction of all public utilities and required improvements herein required within the subdivision and

any required off-site improvements, he may seek acceptance for all such improvements by the City.

B. The procedure for consideration of acceptance of public improvements herein required shall be as follows:

1. The sub divider shall make written request through the Community Services Director that such public improvements be accepted by the City;

2. One (1) sets of Mylar reproducible as built plans and all required maintenance bonds shall be submitted in conjunction with the written request;

3. The sub divider's Engineer shall submit a written statement indicating that the required improvements and any required off-site improvements have been constructed in accordance with the approved plans, that the as built plans are a true and accurate representation of the required improvements, that he is satisfied with the required improvements, and that he recommends acceptance by the City;

4. The Community Services Director shall submit a written report to the Planning Commission and City Council indicating the following:

   a. That the public improvements either have or have not been constructed in compliance with approved plans and specifications and all requirements of the code of the City;

   b. That the as built plans either provide or do not provide a true and accurate representation of the public improvements; and

   c. That all required maintenance bonds have been submitted and examined by the City attorney and either are or are not in order;

5. The report shall be submitted to the Planning Commission for their acceptance of the improvements and required maintenance bonds, and where applicable, their recommendation of release of the surety from liability under the subdivision bond where the provisions of the bond have been fully performed. The recommendation and approval by the Planning Commission shall be reported to the City Council; and

6. If the City Council finds all required public improvements, all required off-site improvements, and all associated requirements to be in compliance with this Planning and Zoning Ordinance, the Del City Municipal Code, and the adopted standards and specifications related thereto, the improvements shall be accepted for maintenance along with the required maintenance bonds relating thereto.

SECTION A-649 MAINTENANCE BONDS

Before acceptance of the public improvements, referred to in Section A-648 of this Planning and Zoning Ordinance, shall be considered final, the sub divider shall file, with the Community Services Director, a good and sufficient bond with adequate surety in a sum equal to the contract price to protect the awarding public agency against defective workmanship and materials for a period of one year from the

date the bond is filed. The bond must be approved in writing by the Community Services Director, the City attorney and the City Clerk. An additional requirement for public streets and drainage structures located within the right of way, dedicated to the public, is a good and sufficient bond with adequate surety in a sum equal to ten (10) percent of the contract price to protect the awarding City of Del City against defective workmanship and materials for a period of four (4) additional years from the date the one-hundred percent maintenance bond expires.

SECTION A-650 BUILDING PERMIT

A. No building permit shall be issued for any lot prior to the construction of all off-site improvements as are required by this Planning and Zoning Ordinance and which have been accepted by the City, except as may otherwise be provided for in this Planning and Zoning Ordinance.

B. No building permit shall ever be issued for any structure on any tract of land which has not been, when required, subdivided or platted in accordance with this Planning and Zoning Ordinance.

C. No building permit shall be used for any developments or any tract of land for which a plot plan is required, unless such development is in conformity with the plot plan submitted with the final plat.

SECTION A-651 FENCING AND PERMANENT EVERGREEN PLANT SCREENING

All fencing, screening, or permanent evergreen plant screening required by this Planning and Zoning Ordinance shall be installed in accordance with specifications of the City and in accordance with the following provisions:

1. Required fencing, screening, and permanent evergreen plant screening shall be completed following the installation of the required streets, sidewalks, drainage and utility construction in the adjacent right-of-way; and

2. Such fencing, screening, and plants shall be installed prior to the occupancy of any dwelling unit located on any lot adjacent to the fence.

SECTION A-652 MAINTENANCE AND SUPERVISION

Where a subdivision contains sewers, sewage treatment facilities, water supply systems, parks and grounds held in common or other physical facilities necessary or desirable for the welfare of the area, or that are of common use or benefit which are not or cannot be satisfactorily maintained by an existing public agency, provision shall be made, which is acceptable to the City Council, for the proper continuous operation, maintenance and supervision of such facilities. A copy of the agreements providing for the proper and continuous operation, maintenance and supervision of such facilities shall be presented to the Planning Commission at the time of final platting and shall be filed of record with the plat of the land thereof.

SECTION A-653 PERMANENT MARKERS

A. Permanent monuments in accord with all required standards shall be placed at all corners and changes in direction of the boundary of the subdivision. Where boundaries are comprised of curves, the point of curvature (P.C.), point of intersection (P.I.), point

of tangency (P.T.) shall be monumented. All monuments shall be placed flush with the ground and the four (4) corner monuments shall have at least two (2) reference points established with the distances not to exceed two hundred fifty (250) feet. In cases where boundaries have more than four (4) corners, the reference ties shall be provided as directed by the Community Services Director.

B. Iron pins at least one half (½) inch in diameter and at least eighteen (18) inches in length shall be placed on all block corners, P.C.'s, P.I.'s and P.T.'s along the dedicated street right-of-ways.

C. Iron pins at least three-eighths (3/8) inch in diameter and twelve (12) inches in length shall be placed at all lot corners.

D. One permanent benchmark, referenced to the U.S. Geological Survey Datum (mean sea level) shall be established within each subdivision.

E. All required monuments, iron pins and the benchmark shall be in place prior to acceptance of street improvements.

SECTION A-654 SANITARY SEWERS

A. In urban areas the sub divider shall install sanitary sewer lines in accordance with this Planning and Zoning Ordinance and the standards and specifications governing sanitary sewer line construction.

B. No building permit shall be issued for any structure to be located on any lot within an urban, platted subdivision filed of record until the required sanitary sewer improvements for that lot have been installed in accordance with standards and specifications as adopted by the City Council.

C. Standard design as adopted by the City shall be followed for sewer lines tied to the City collection facilities, or if City facilities are not available, there shall be installed a treatment system where allowed under the Del City Municipal Code, and approved by the Community Services Director, and the Oklahoma Department of Environmental Quality.

D. In those specific instances where City water is available, and the tract satisfies the requirements of all requirements in this Planning and Zoning Ordinances pertaining to frontage on a public street or road, but which does not have City sewer service available, the owner of any such tract of land so involved may install a private sewer or septic system to serve his particular property and no other, provided that the owner of such tract complies with all of the provisions of the Del City Municipal Code and all provisions of the Oklahoma Department of Environmental Quality.

E. The provisions herein set forth shall apply regardless of the zoning district or area of the tract of land involved, provided however, that at such time as City sewer service becomes available and is installed within five hundred (500) feet of the tract of land involved, the owner of the tract shall discontinue his private system and connect to the City sewer line.

SECTION A-655 STORM SEWERS, SURFACE WATER RETENTION AND DRAINAGE

A. Storm sewers, surface water retention and drainage facilities shall be provided and constructed in compliance with standards and specifications of this Planning and Zoning Ordinance.

B. No building permit shall be issued for any structure to be located on any lot within a recorded, platted subdivision until the required storm sewers and drainage improvements for the lot have been installed in compliance with this Planning and Zoning Ordinance, the Del City Municipal Code, and the adopted standards and specifications relating thereto.

SECTION A-656 STREET AND ALLEY IMPROVEMENTS

The sub divider of any subdivision designed to be used for residential, commercial, industrial or other uses shall lay out, grade or otherwise improve all streets and alleys that are designated on the approved plat or that directly serve the subdivision in compliance with the standards and specifications of this Planning and Zoning Ordinance and in compliance with the following provisions:

1. Streets and alleys in the urban area shall be laid out, graded and otherwise improved as specified in the applicable standards and specifications governing such construction. Such street layout and all improvements shall be done under the supervision of the public works department and shall be subject to inspection and approval in accordance with the standards and specifications of this Planning and Zoning Ordinance; and

2. Street right-of-way and pavement widths shall comply with standards established in this Planning and Zoning Ordinance and the Del City Municipal Code. The paving design of the intersection of any new street with a state or federal highway shall be approved by the Oklahoma Department of Transportation.

SECTION A-657 WATER LINES

A. In urban areas the sub divider shall install water lines and fire hydrants in compliance with this Planning and Zoning Ordinance, the Del City Municipal Code, and adopted standards and specifications relating thereto.

B. No building permit shall be issued for any structure to be located on any lot within a recorded, platted subdivision until the required water lines for the lot have been installed and accepted by the City in accordance with the procedures established in this Planning and Zoning Ordinance.

C. In both urban and rural areas in which water lines are installed by the developer, the developer shall install a minimum twelve (12) inch water main along all section line roads and all highways and major thoroughfares. Larger mains may be required by the Community Services Director and Fire Chief to following the General Plan for public improvements.

ARTICLE E

PLAT PREPARATION AND APPROVAL PROCEDURE

SECTION A-660 PRELIMINARY PLAT; GENERAL

The sub divider shall prepare a preliminary plat for presentation to the Planning Commission. It shall conform with the minimum requirements of the Del City General Plan and this Planning and Zoning Ordinance, and shall include the land in question, and any adjacent land partially or fully owned or under option by the applicant, notwithstanding that all of the land may never be finally platted.

SECTION A-661 PRELIMINARY PLAT; PROCEDURE FOR FILING APPLICATION FOR CONSIDERATION OF THE PLANNING COMMISSION

In order to be included on the agenda on the Planning Commission, an application shall be in compliance with all of the following:

1. Twenty (20) copies of the preliminary plat shall be submitted directly to the Community Services Director before 12:00 noon, Thursday, not less than thirty (30) days prior to the next Planning Commission meeting;

2. With the preliminary plat, the restrictive or protective covenants, including, if any, the property owners association documents, appertaining to the development or subdivision and which are to be filed of record in the office of the County Clerk of Oklahoma County, Oklahoma, shall be submitted; and

3. When submitted, material must be in complete and final form as required in this chapter. Plats failing to meet these requirements by the filing deadline shall not be placed on the Planning Commission agenda.

SECTION A-662 PRELIMINARY PLAT: CONTENTS

The preliminary plat shall be drawn at a scale of not more than one hundred (100) feet to the inch, except where impractical and shall show:

1. The scale, north arrow and date;

2. The proposed name of the subdivision;

3. The name and address of the owner of record, the sub divider and the registered land surveyor preparing the plat. In the event the sub divider is a partnership, the names of all partners, both limited and general and their addresses shall be submitted. In the event the sub divider is a corporation, the names of all stockholders, officers and manager of the corporation and their addresses shall be submitted;

4. A key map showing the location of the proposed subdivision referenced to existing or proposed major streets and to government section lines and including the boundaries and number of acres of the drainage area of which the proposed subdivision is a part;

5. The names, with locations of intersecting boundary lines of adjoining subdivisions, and the location of the Del City limits if falling within or immediately adjoining the tract;

6. The land contours with vertical intervals of two (2) feet referenced to a United States

Geological Survey or Coast and Geodetic Survey benchmark or monument;

7. The location of dedicated streets at the point where they adjoin and/or are immediately adjacent; but actual measured distances shall not be required;

8. The location of all existing easements of record, sanitary and storm sewers, water mains, culverts, power lines and other surface or subsurface structures within the tract or immediately adjacent thereto and the location, layout, type and approximate size of the following structures and utilities:
    a. Water mains;
    b. Sanitary sewer mains, sub-mains and laterals;
    c. Storm sewers; and
    d. Street improvements.

9. The location of all drainage channels and subsurface drainage structures and the proposed method of disposing of or retaining all surface water from the proposed subdivision, and the location and size of all drainage easements relating thereto, whether they be located within or outside of the proposed plat; and a hydrology study and report prepared by a registered professional Director describing the effect of the change in direction of flow or quantity of flow of runoff water which will result from the construction of the proposed subdivision including recommendations for the efficient and safe removal of the runoff water;

10. The length of the boundaries of the tract, measured to the nearest foot, and the proposed location and width of streets, alleys, easements and setback lines, and the approximate lot dimensions;

11. The existing zoning and proposed changes of zoning in the tract and of the property immediately adjacent thereto; and

12. Any other information which may be required by this chapter.

SECTION A-663 PRELIMINARY PLAT; PLANNING COMMISSION ACTION

A. The Planning Commission shall approve or disapprove the preliminary plat.

B. If the preliminary plat be disapproved, the reasons for such action shall be specifically stated in writing, a copy of which, signed by the Planning Commission chairman, shall be attached to one copy of the plat and transmitted to the applicant.

C. The reasons for disapproval shall refer specifically to those parts of the Del City General Plan, this Planning and Zoning Ordinance, and policies of the City with which the plat does not conform.

D. If the plat conforms to all of the standards, or after the applicant and Planning Commission agree upon any revisions which may be filed with the commission on a revised copy, the applicant may proceed with the staking of streets and roads, and with the preparation of a final plat.

SECTION A-664 PRELIMINARY PLAT: DURATION OF APPROVAL

A. Approval of a preliminary plat by the Planning Commission shall be valid for a period of two (2) years from the date of approval, provided that the final plat is substantially in compliance with the approved preliminary plat and provided that no change in land use relationships is proposed and that no change in street configuration is proposed.

B. After a period of two (2) years from the date of approval of the preliminary plan, the Planning Commission shall review the approved preliminary plat to consider changed circumstances and conditions and, if appropriate, extend the approval for a period not to exceed two (2) additional years.

SECTION A-665 PRELIMINARY PLAT: CHANGES FROM THE APPROVED PLAT

In any instance where a final plat includes a rerouting of a collector street, a change in relationship between uses of land or a request for a change of specific elements of the preliminary plat, then the preliminary plat shall be reviewed, and if the preliminary plat has expired, the sub divider shall pay a full plat filing fee on that part of the preliminary plat not previously filed of record as a final plat.

SECTION A-666 FINAL PLAT: GENERAL

The sub divider shall prepare a final plat for presentation to the Planning Commission. It shall conform with the minimum standards of this Planning and Zoning Ordinance and with the preliminary plat approved by the Planning Commission.

SECTION A-667 FINAL PLAT: PROCEDURE FOR FILING APPLICATION FOR CONSIDERATION OF THE PLANNING COMMISSION

In order to be included on the agenda of the Planning Commission, an application shall be in compliance with all of the following:

1. A final plat neatly drawn on tracing cloth, Mylar or equivalent and fifteen (15) dark line prints thereof shall be submitted to the Community Services Director before 12:00 noon, Thursday, not less than thirty (30) days prior to the next Planning Commission meeting;

2. At the same time, there shall be submitted fifteen (15) sets of the proposed plans and specifications in final form for all required improvements;

3. At the same time, where the final plat is submitted for a multi-family residential development where any lot, tract or parcel contains in excess of twenty-five thousand (25,000) square feet or for any commercial or industrial development, there shall be submitted fifteen (15) copies of a plot plan which shall be drawn to scale, showing the outer lines within which each individual structure within the development is to be constructed, in addition to designated open space; the areas reserved for parking; all points of ingress and egress to existing, required or proposed streets; all streets, alleys, drives and fire lanes, whether public or private; all public easements; the location of fire hydrants; service areas; and required screening and fencing;

4. In the instance where the means of sewage disposal is proposed by individual septic

tank and filter fields, the final plat shall be accompanied by additional plans as required by this Planning and Zoning Ordinance;

5. In the instance of where the means of sewage disposal is proposed by individual septic tank and filter fields, one dark line print of the final plat denoting the location on each lot where percolation tests have been performed shall be filed with the application for approval of the final plat;

6. In the case of a plat proposing the reserving or dedicating of land to be used in common by owners of lots in the subdivision, there shall be submitted by the sub divider evidence acceptable to City Council that all necessary steps have been taken for:
   a. The establishment of a property owner's association for adequately maintaining the common property; and

   b. Disposition of the common property in the event of dissolution of the association; and

7. The final plat shall conform with the preliminary plat as approved by the Planning Commission, and shall not include the rerouting of a collector street, a change in the relationship between uses of land, or a change of specific elements of the preliminary plat. Plats failing to meet these requirements or other requirements of this chapter shall not be placed on the Planning Commission agenda.

SECTION A-668 FINAL PLAT: CONTENTS

A. The final plat shall be drawn on a scale of one hundred (100) feet to the inch from an accurate survey and on sheets whose dimensions do not exceed twenty-two (22) inches by thirty-two (32) inches between border lines on a standard twenty-four (24) by thirty-six (36) inch sheet. However, in the instance of the platting of as small area, the scale of the drawing may be changed such that one inch will equal less than one hundred (100) feet in order to allow a larger representation of the tract. On the first sheet of every plat there shall be a key map showing the location of the subdivision referenced to government survey section lines and major streets. If more than two (2) sheets are required for the plat, the key map shall show the number of the sheets for each area. A border of one inch surrounding the sheet shall be left blank at the top, bottom and right hand side, and a margin of three (3) inches at the left side for binding purposes.

B. The final plat shall show:
   1. The location and description of all permanent survey monuments in or near the tract, to at least one of which the subdivision shall be referenced;

   2. The length of all required lines dimensioned in feet and decimals thereof, and the value of all required true bearings and angles dimensioned in degrees and minutes, as hereafter specified;

   3. The boundary lines of the land being subdivided fully dimensioned by lengths and bearings, and the location of boundary lines of adjoining lands, with adjacent subdivisions identified by official names and a legal description of the land being platted on all pages of the plat;

4. The lines of all proposed streets fully dimensioned by lengths and bearings or angles;

5. The lines of all proposed alleys. Where the length and/or direction of an alley are not readily discernible from data given for lot and block lines, the length and/or bearing shall be given;

6. The widths, and names of all proposed streets and alleys and of all adjacent streets, alleys and all proposed easements and all easements of record, which shall be properly located and identified;

7. The lines of all proposed lots fully dimensioned by lengths and bearings or angles, except that where a lot line meets a street line at right angles the angle or bearing value may be omitted;

8. The outline of any property which is offered for dedication to the public or private use fully dimensioned by lengths and bearings, which the area marked "Public" or "Private" as the case may be;

9. The blocks numbered consecutively through the entire subdivision, and the lots numbered consecutively throughout each block. If only a portion of a block shown on an approved preliminary plat is included in a final plat, the block and consecutive lots numbers assigned thereto shall not be continued for the remaining lots of such a block at such time as the remaining lots are final platted. The remainder of such a block shall bear a different block number and the lots numbers shall be consecutively numbered beginning with the number one (1).

10. The location of all building lines, setback lines, easements of record and easements being dedicated for public services or utilities with dimensions to the nearest foot showing their location;

11. The location of any land lying within the limits of the flood plain and the floodway, as shown on the most recent edition of the "Flood Hazard Maps" published by the Federal Emergency Management Agency (FEMA) for the City of Del City or Oklahoma County. Additional requirements are included in the Del City Municipal Code under Flood Prevention.

12. The radii, arcs, points of tangency, points of intersection and central angles for all curvilinear streets and radii or cut-backs for all property returns;

13. The following which shall be made and shown on the submitted original tracing:
    a. Owner's certificate and dedication. This certificate and dedication shall be executed and acknowledged before consideration of the final plat by the Planning Commission;

    b. Certificate of survey, executed and with land surveyor's seal;

    c. Certificate of bonded abstractor, executed before consideration of the final plat by the Planning Commission;

d. Certificate for release of mortgage for any portion dedicated to the public, executed and acknowledged;

e. County treasurer's certificate, executed;

f. Reference to any separate instruments, including restrictive covenants, filed in the office of the County Clerk which directly affects the land being subdivided;

g. Certificate of Planning Commission approval;

h. Certificate of the City Council acceptance of ways, easements and public land dedications; and

i. All signatures must be affixed in black ink; and

14. A title which shall include:

a. Name of the subdivision;

b. Name of city, county and state; and

c. Location and description of the subdivision referenced to section, township and range.

SECTION A-669 FINAL PLAT: BOUNDARY TRAVERSE CLOSURE

Boundary traverse closure data based on the Director's calculations thereof shall be provided at the time of submission of the final plat.

SECTION A-670 FINAL PLAT: PLANNING COMMISSION ACTION, APPEALS

A. The Planning Commission shall approve or disapprove the final plat. Approval shall be shown on the plat with the date of such approval and over the signature of the commission chairman.

B. If the final plat be disapproved, the reasons for such action shall be specifically stated in writing, a copy of which, signed by the Planning Commission chairman, shall be transmitted with the tracing and prints to the applicant.

C. If the final plat be disapproved by the Planning Commission, the applicant may take the final plat to the City Council for consideration, where by a vote of four (4) or five (5) members it may be approved for filing. However, no plat shall be approved which does not comply with this chapter.

SECTION A-671 FINAL PLAT: CITY COUNCIL ACTION

A. Before recording the final plat, it shall be submitted to the City Council for approval or disapproval.

B. Approval of the plat shall be shown over the signature of the mayor and attested by the City clerk.

C. The disapproval of any such plat shall be deemed a refusal of the proposed dedications shown thereon.

SECTION A-672 FINAL PLAT: RECORDING

The owner or the owner's Director shall submit the original tracing of any plat and the recording fee for filing of the plat in the office of the Oklahoma County Clerk to the Community Services Director at the time approval by the City Council is requested in writing. All required signatures shall be properly affixed. The City will retain possession of the original, securing Planning Commission and City Council signatures upon approval. The owners shall furnish all required copies, the reproducible copy, and the required prints for recording purposes and the Community Services Director shall record the plat at the owner's expense within ten (10) days after some has been furnished to the Community Services Director and approval of the final plat by the City Council. Where the required improvements and any required off-site improvements are constructed prior to the official filing of the final plat, the Community Services Director shall file the final plat with the County Clerk of Oklahoma County within ten (10) days after acceptance of these improvements by the City Council.

ARTICLE F
VARIATIONS AND EXCEPTIONS

SECTION A-675 VARIATIONS

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this chapter would result in substantial hardship or inequity, the Planning Commission, with the approval of the City Council , may vary or modify, except as otherwise indicated, such requirements of design, but not of procedure or off-site improvements, so that the sub divider may develop his property in a reasonable manner, but so, at the same time, the public welfare and interests of the City are protected and the general intent and spirit of this chapter preserved. Such modification may be granted upon written request of the sub divider or his Director, stating the reason for each modification, and may be approved by two-thirds (2/3) vote of the regular membership of the Planning Commission, subject to the acceptance of the plat and the dedications thereon by the City Council; provided, however, that a variation based on unique condition(s) shall not be granted when the unique condition(s) was created or contributed to by the sub divider.

SECTION A-676 EXCEPTION FOR ISSUING A BUILDING PERMIT FOR A SINGLE FAMILY DWELLING WHERE ALL REQUIRED OFF-SITE IMPROVEMENTS ARE NOT IN PLACE OR ARE SUBSTANDARD

A. The purpose of this section is to allow, in some cases, the issuance of a building permit and the subsequent construction or improvement of a single family dwelling unit located on a platted lot or lots in a subdivision filed of record but serviced by substandard or inadequate off-site improvements as required by this chapter.

B. An applicant shall not be denied a building permit for the reason that all required off-site improvements are not in place if all of the following conditions exist:

1. The total area of the land for which the building permit is sought is included within a plat filed of record on or before the adoption of this Planning and Zoning Ordinance;

2. Twenty-five percent (25%) or more of the total number of lots within the subdivision have been developed;

3. The lot for which the building permit is sought is accessible from street right-of-way adjacent and abutting the lot and the lot is served either by an alley or an adequate utility easement;

4. The method of sewage disposal is by connection to the City sanitary sewer system;

5. No structure or any part thereof is to be located at or below the elevation of the one hundred (100) year flood plain; and

6. Water lines and fire hydrants are in place as a part of the City system.

SECTION A-677 EXEMPTIONS FROM PLATTING PROCEDURES

The exemptions described in this section are intended to facilitate the limited conveyance of simple property divisions and to allow minor adjustments to be made to lot lines of platted lots. It is not intended that extensive subdivision be accomplished by use of this section. For the purposes of this section, the phrase "extensive subdivision of land" shall apply only to platted land. Under the short form plat process, extensive re-platting for general guidelines should mean no more than twenty percent (20%) of the total number of original lots should be created through the short form plat process. An increase in the number of lots over twenty percent (20%) of the original number of lots should be accomplished by following the Oklahoma Statute on vacating plats.

SECTION A-677.1 SHORT FORM PLAT

Whenever there is a tract, parcel or lot which is to be subdivided into three (3) or fewer tracts, parcels or lots, the proposed subdivision may be exempt from any procedural provision of these regulations, and a preliminary and final plat may not be required.

A. Subdivision of tract, parcel, or lot shall be defined as a Short Form Plat under the following conditions and must meet the requirements described herein:

1. No more than three (3) tracts, parcels or lots shall be created or approved based on the original legal description submitted at the time of original application for land subdivision.

2. For the land subdivision, excluding commercial and industrial, described immediately above, said land shall not be re-subdivided for a period of one (1) year from the date of creation or approval of the short form plat, unless it is fully platted under Subdivision Regulations.

B. Procedure for Short Form Plat approval shall be as follows:

1. Application for Short Form Plat approval shall be filed with the Community Services Director on forms supplied by the City.

2. The application shall consist of:

a. The deed, with legal description to be approved.

b. Copy of original deed.

c. A certified survey consisting of boundary lines, all improvements and easements, the legal description of the original tract, parcel or lot, and all new tracts, parcels or lots created, shall be prepared by a land surveyor registered in the State of Oklahoma.

d. Deeds of tracts, parcels or lots bordering the proposed lot if deemed necessary by the Commission.

3. The City shall review the proposed Short Form Plat to insure compliance with all design and improvement requirements of these regulations and shall forward the application for a Short Form Plat for consideration at the next regular meeting of the Planning Commission.

4. Upon approval of the Short Form Plat by the Planning Commission, and when necessary the City Council, deeds associated with the Short Form Plat shall be signed by the Chairman of the Planning Commission or other authorized Planning Commission member as designated to act in the absence of the Chairman.

5. If the application is denied, the reasons for denial shall be stated in writing with reference made to the express provision of regulations to which the proposed Short Form Plat does not conform, and shall be transmitted to the applicant. Denial may be based upon objection of a majority of the property owners of any platted property or failing to conform to the goals and objects included in the General Plan for the City of Del City.

6. Whenever a deviation is required from the improvement requirements contained herein or additional street easement/rights-of-way or drainage easement / rights-of-way are to be dedicated, the action of the Planning Commission shall be forwarded to the City Council for their approval and acceptance of dedication.

7. If the application is denied by the Planning Commission, an appeal may be made to the City Council.

C. Improvements required. The following requirements are mandatory for Short Form Plats:

1. All current subdivision regulations shall be met, including all Planning and Zoning Ordinances and regulations relating to the improvements of streets and the installation of water, sewer and drainage facilities, unless otherwise stated in these regulations.

2. Paving. The City shall require the installation of street paving in accord with City standards with the application for a Short Form Plat, if the paving does not already exist, except that the Planning Commission and City Council may vary that requirement when the following conditions exist:

   a. A residential tract, parcel or lot on an approved paved and curbed Public Street.

   b. A residential tract, parcel or lot on a concrete or asphalt surface, but not necessarily curbed, road.

   c. When it would be impractical to require paving because the property is abutting a street included within a funded street improvement program approved by the City.

3. Sanitary Sewer. Upon application for a Short Form Plat, the City shall require the extension and installation of sanitary sewer lines as required in Sections A-641 and A-654.If a subdivided tract, parcel or lot is not in conformance with the above-mentioned Sections, a septic system may be utilized under the following conditions:

   a. Approval of the construction of a private system is acquired from the

Oklahoma Department of Environmental Quality; and

b. The septic system shall be installed and inspected in accordance with the Oklahoma Department of Environmental Quality; and

c. Minimum lot sizes shall be as required by the Oklahoma Department of Environmental Quality.

4. Drainage. The City shall require drainage improvements and easements as respects this tract, parcel or lot as required by this Planning and Zoning Ordinance.

Except that the Planning Commission and the City Council may vary the paving easement requirements on secondary channels under the following conditions:

a. The present development and improvement patterns within the area would render any improvements installed at this time ineffective.

b. The topography of the area is such that the exact size and location of drainage improvements cannot be determined at this time.

c. The Planning Commission and the City Council may authorize the Community Services Director to require necessary on-site cleaning, grading, and straightening to improve water flow at the time of building permit application.

5. Water. The City shall require the extension and installation of water mains to serve this tract, parcel or lot as required by Sections A-641 and A-657.

If a private water well is utilized, then it shall meet the following conditions:

a. Approval of water well drilling by the Oklahoma Department of Environmental Quality, and acquiring a permit from the City Council for a private water well.

b. All private water wells must meet the locational criteria and established by the Oklahoma Department of Environmental Quality and the Oklahoma Water Resources Board for the construction of private water wells.

D. Other Standards Required. The following requirements shall be mandatory for Short Form Plats.

1. Tracts, parcels or lots must meet the lot width requirement of the particular zoning district in which it is located. However, in no case shall Short Form Plats for property zoned Urban Reserve or residential districts be approved unless the tracts, parcels or lots involved in the Short Form Plat have a minimum of 300 feet of frontage and 87,120 square feet when the lot submitted for deed approval gains its primary access from an arterial street. Should a Short Form Plat be approved with double frontage, a "Limits-of-No-Access" shall be required along any major street such as an arterial street.

2. If in the event, by the design of the proposed Short Form Plat, there is to be

created any landlocked tracts, parcels, or lots, the sub divider will be required to submit for approval preliminary and final plats as required in Sections A-601 et. seq. and all requirements of those aforementioned sections shall apply. Under these circumstances, the preliminary and final plats may be submitted simultaneously for review and forwarding on to the Planning Commission and City Council.

3. If the area of the proposed Short Form Plat is entirely within a platted subdivision filed of record, the sub divider may create the tracts, parcels, or lots by submitting an amended plat of said subdivision for review and approval by the Planning Commission and City Council. Said amended plat shall conform to the regulations for the subdivision of land.

E. Fees for Short Form Plats. An application fee established by Resolution of the City Council shall be paid at the time of filing of any Short Form Plat. This fee shall be paid to the Community Services Director at the time of the application for a Short Form Plat. The application fee is not refundable.

SECTION A-677.2 LOT LINE ADJUSTMENTS

The purpose of this section is to allow adjustments to be made to lot lines of platted lots for the purpose of adjusting the size of the building sites; however, extensive re-platting shall not be accomplished by use of this section.

A. Exceptions to these regulations designated as lot line adjustments shall not violate any of the provisions of these regulations as to requirements for design or improvements and shall constitute only procedural exceptions as herein stated. Lot line adjustments shall be allowed under the following conditions:

1. No additional tract, parcel or lot shall be created by any lot line adjustment.

2. No lot line adjustments shall be allowed unless all required improvements and any required off-site improvements are both completed and accepted by the City or their construction is secured under applicable sections of this Planning and Zoning Ordinance.

3. All proposed residential dwelling sites contained in a proposed lot line - adjustment shall have a width at the front building line which is equal to or greater than the narrowest width lot, measured at the front building line, which fronts on the same street as said proposed dwelling site and which is located within the same block or is across the street from the same block in which said dwelling site is located. However, this Section shall not be interpreted to deny eligibility for lot line adjustment exceptions which meet all other criteria of these regulations and are located on cul-de-sacs.

4. All proposed tracts, parcels or lots of building sites involved in a lot line adjustment shall abut on either an existing alley or adequate utility easement and on a public street.

5. Unusable tracts, parcels, or lots shall not be created as a result of any lot line adjustment.

B. Procedure for lot line adjustments shall be as follows:

1. Application for deed approval shall be filed with the Community Services Director on forms supplied by the City.

2. The application shall consist of:

a. The deed, with legal description, to be approved.

b. Copy of original deed.

c. A certified survey consisting of boundary lines, all improvements and easements, the legal description of the original tract, parcel or lot, and all new tracts, parcels or lots created, shall be prepared by a land surveyor registered in the State of Oklahoma.

d. Deeds of tracts or lots bordering the proposed lot if deemed necessary by the Director.

3. The Planning Commission is hereby empowered to approve lot line adjustments. Approval of a request shall be signed by the Chairman of the Planning Commission or other designated Planning Commission member. Any disapproved request may be appealed to the City Council.

a. Lot line adjustments in substandard subdivision. For lot line adjustments located in substandard platted subdivisions, said lot line adjustments shall meet the same improvement requirements as required by Short Form Plats.

b. Fees for lot line adjustments. A fee established by resolution of the City Council shall be paid to the Clerk for an application for a lot line adjustment. This fee shall be paid at the time of submission of the application for the lot line adjustment. The application fee is not refundable.

SECTION A-677.3 EXEMPTIONS FROM SHORT FORM PLATS AND LOT LINE ADJUSTMENT REQUIRMENTS

Tracts, parcels or lots created under one of the following conditions shall be exempt from short form plat and lot line adjustment requirements and may be approved administratively by those so designated by the Planning Commission. This exemption shall not be construed so as to permit further subdivision of said tract, parcel or lot. Any further subdivision of aid tract, parcel or lot shall comply with the Short Form Plat or Lot Line Adjustment Requirements, whichever is applicable.

A. The configuration of the tract, parcel or lot to be conveyed or created by a court decree or by an action of other governmental authority. Documentation of such court decree or governmental action shall be required by the Community Services Director.

B. The deed submitted is exempted from the requirements of Planning Commission approval by any provision of State Law. Documentation of such shall be required by the Community Services Director.

C. The configuration of the tract, parcel or lot to be conveyed was in existence prior to City annexation of said property. Documentation of such shall be required by the Community Services Director.

CHAPTER 7
VACATING A PUBLIC WAY OR EASEMENT

SECTION A-701 PROCEDURE TO CLOSE PUBLIC WAYS OR EASEMENTS

A. The City of Del City may, under this Planning and Zoning Ordinance, close to the public use any public way or easement within the municipality whenever deemed necessary or expedient. After receipt of the recommendation from the Planning Commission the public way or easement may be closed by action of the City Council.

B. The Planning Commission shall review all requests from property owners or from the City to close to the public use any public way or easement and shall forward a recommendation to the City Council.

C. The City of Del City shall give written notice of any proposed closing of a public way or easement to any holder a franchise or others determined by the governing body to have a special right or privilege granted by this Planning and Zoning Ordinance or legislative enactment to the use of the public way or easement at least thirty (30) days prior to passage of any Ordinance providing for the closing of the public way or easement.

D. The City of Del City shall retain the absolute right to reopen the public way or easement without expense to the municipality, unless foreclosed by district court action. The public way or easement may be reopened by the City Council on its own motion or upon request of a property owner whenever:

1. The municipality governing body deems it necessary;

2. An application of the property owners owning more than one-half (½) of the area of the property abutting on the public way or easement previously closed is filed with the governing body.

E. Closing of the public way or easement shall not affect the right to maintain, repair, reconstruct, operate, or remove utility, public service corporation, or transmission company facilities or services therein, nor shall the closing affect private ways existing by operation of law unless released, in writing, executed by the owners thereof.

CHAPTER 8
BOARDS AND COMMISSIONS

ARTICLE A
PLANNING COMMISSION

SECTION A-801 PLANNING COMMISSION, CREATION, AND MEMBERSHIP

The Planning Commission shall consist of nine (9) appointive members, all of whom shall be citizens of the City. The City Manager and Community Services Director shall serve as ex officio members of the commission. The nine (9) appointive members shall be nominated by the mayor and appointed by the City Council, and shall serve for terms of three (3) years. Vacancies shall be filled for the unexplored terms. The members shall serve without compensation. The City Council may remove a member of the Planning Commission without cause. The current members of the Planning Commission shall continue as the City of Del City Planning Commission and upon expiration of their current term of office may be reappointed or replaced with new members.

SECTION A-802 ORGANIZATIONS, MEETINGS, OFFICERS AND EMPLOYEES

The Planning Commission shall annually elect a chairman, a vice-chairman and a secretary, who shall serve until the regular meeting on or after the first Monday in November after their election or until their successors are elected and qualify. The Planning Commission shall determine the times and place of its regular meetings; and the chairman, the mayor or any three (3) members may call special meetings of the Planning Commission. The commission may employ Directors, attorneys, clerks and other help deemed necessary, subject to the approval of the City Council. The salaries and compensation for Directors, attorneys, clerks and other help shall be fixed by the City Council, and shall be paid out of the City Treasury as other legal expenses of the City government are paid.

SECTION A-803 POWERS AND DUTIES

The Planning Commission shall prepare from time to time plans for the systematic development and betterment of the City as a place of residence or for business. It may consider and investigate any subject matter tending to the development and betterment of the City, and make such recommendations as it may deem advisable concerning the adoption thereof, to any department, officer or agency of the City government, and make or cause to be make surveys, maps and plans for any purpose. It shall have all the powers and duties conferred upon a City Planning Commission by state law and this Planning and Zoning Ordinance.

The Planning Commission may prepare and adopt rules and regulations regarding the function of the Planning Commission, however, before such rules and regulations become effective, said rules and regulations must be approved by the City Council.

SECTION A-804 PLANNING COMMISSION AS A ZONING COMMISSION

A. The Planning Commission is hereby appointed the Zoning Commission of the City. The Planning Commission shall have the powers of zoning commissions provided by state law, whether exercising the powers of a Planning Commission or the powers of a zoning commission, it shall be legally one board known as the Planning Commission.

B. In exercising the powers of a zoning commission, the Planning Commission shall recommend the boundaries of the various zones and appropriate zoning regulations to be enforced therein, and any changes therein which it may deem desirable from time to time.

SECTIONA-805 ZONING PROCEDURES

A. The Planning Commission shall make recommendations on zones and regulations and shall hold public hearings thereon before submitting its recommendations to the City Council .The City Council shall not hold public hearings nor take action on the report until the City Council has received such report from the Planning Commission.

B. No zoning regulation, restriction or boundary, nor any change therein, shall become effective until after a public hearing is held before the City Council in relation thereto, at which interested parties and citizens shall have an opportunity to be heard at least fifteen (15) days' notice of the time and place of such hearing shall be published in an official paper or a paper of general circulation in the City. The notice shall include a map of the area to be affected which indicated street names or numbers, streams, or other significant landmarks in the areas.

C. Protests against proposed changes shall be filed at least three (3) days before the date of the public hearings. If the protests are filed by:

1. The owners of twenty percent (20%) or more of the area of the lots included in a proposed change; or

2. The owners of fifty percent (50%) or more of the area of the lots within a three hundred (300) foot radius of the exterior boundary of the territory included in a proposed change;

Then the proposed change or amendment shall not become effective except by the favorable vote of three-fifths (3/5) of the members of the governing body.

D. In addition to the notice requirements included in Section A-805.B. of this Planning and Zoning Ordinance, notice of a public hearing on any proposed zoning change shall be given twenty (20) days prior to the hearing by mailing written notice by the City Clerk to all owners of property within three hundred feet of the area proposed for rezoning. The notice shall contain:

1. Legal description of the property and the street address or approximate location in the municipality;

2. Present zoning and classification of the property and the classification sought by the applicant; and

3. Date, time and place of the public hearing.

E. The fees for filing a rezoning application with the City shall be established by resolution of the City Council.

ARTICLE B
ZONING BOARD OF ADJUSTMENT

SECTION A-810 CREATION AND AUTHORITY

A Zoning Board of Adjustment is hereby created. The Board of Adjustment shall be composed of five (5) members, citizens of the City, each appointed by the mayor with the approval of the board for a term of three (3) years; provided however, that for the first appointment under the provisions of the article, one member shall be appointed for a term of one year; two (2) members shall be appointed for a term of two (2) years; and two (2) members shall be appointed for a term of three (3) years. All appointments thereafter shall be for a term of three (3) years. Not less than two (2) members shall be appointed from the membership of the Planning Commission.

SECTION A-811 OFFICERS; MEETINGS AND PROCEDURES

The Board of Adjustment shall elect one of its members as chairman, who shall serve for the duration of his term. The board shall appoint a secretary who may be an officer of the municipality. The board meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence, the acting chairman, may administer oaths and require the attendance of witnesses by subpoena. The Board shall keep the 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 be immediately filed in the office of the board and shall be a public record. All meetings of the board shall be open to the public.

SECTION A-812 APPEALS AND APPLICATIONS FOR SPECIAL EXCEPTIONS OR VARIANCES

A. The Board of Adjustment may reverse or affirm, wholly or partly, or modify any order, requirement, decision or determination made by an administrative official in the enforcement of this Planning and Zoning Ordinance which has been appealed to the board. The board may make such order, requirement, decision or determination as ought to be made. The Board of Adjustment shall also make special exceptions to the terms of the zoning Planning and Zoning Ordinance in appropriate cases and subject to appropriate conditions and safeguards in harmony with the general purpose and intent and only in accordance with general or specific provisions contained in the zoning Planning and Zoning Ordinance.

B. Appeals shall be taken within thirty (30) days after the decision of the administrative official, by filing with the Community Services Director and the Board of Adjustment a notice of appeal specifying the grounds therefore and paying a filing fee established by resolution of the City Council. The Community Services Director shall transmit to the Board of Adjustment all of the papers constituting the record upon which the action appealed from was taken.

C. Any person may make an application for a variance from the terms of this Planning and Zoning Ordinance by filing the application with the Community Services Director and the Board of Adjustment specifying the applicable Section or Sections of this Planning and Zoning Ordinance for which special exception or a variance is requested and paying to the Community Services Director a filing fee established by Resolution of the City

Council.

D. Notice of any public hearing on an appeal or application for exception or variance before the Board of Adjustment shall be given by publication in a newspaper of general circulation in the municipality and by written notice mailed by the City Clerk to all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property. A copy of the published notice may be mailed in lieu of written notice; however, the notice by publication and written notice shall be published and mailed at least ten (10) days prior to the hearing.

E. The notice, whether by publication or mail, of a public hearing before the Board of Adjustment shall contain:

1. Legal description of the property and the street address or approximate location in the municipality;

2. Present zoning classification of the property and the nature of the appeal, variance or exception requested; and

3. Date, time and place of the hearing.

SECTION A-813 POWERS

The Board of Adjustment shall have the following powers to:

A. Hear and decide appeals if it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Planning and Zoning Ordinance;

B. Hear and decide special exceptions to this Planning and Zoning Ordinance to allow a use, or a specifically designated element associated with a use, which is not permitted by right in a particular district because of potential adverse effect, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted by the Board of Adjustment, where specifically authorized by this Planning and Zoning Ordinance, and in accordance with the substantive and procedural standards of this Planning and Zoning Ordinance;

C. Authorize in specific cases a variance from the terms, standards and criteria that pertain to an allowed use category within a zoning district as authorized by this Planning and Zoning Ordinance when such cases are shown not to be contrary to the public interest if, owing to special conditions, a literal enforcement of the provisions of the Planning and Zoning Ordinance will result in unnecessary hardship and so that the spirit of the Planning and Zoning Ordinance shall be observed and substantial justice done; provided, however, the board shall have no power to authorize variances as to use except as provided in Section A-813 B of this Planning and Zoning Ordinance.

In exercising the above powers, the Board of Adjustment shall have the concurring vote of at least three (3) of its members in order that it may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination, and to that end shall have all the powers for directing the issuance of a permit.

Special exceptions and/or variances may be allowed by the Board of Adjustment only after notice and

hearing as provided in this Planning and Zoning Ordinance. The record of the meeting at which the variance and/or special exception was granted shall show that each element of a variance or special exception was established at the public hearing on the question, otherwise said variance or special exception shall be void able on appeal to the District Court.

SECTION A-814 EXTENT OF RELIEF

A. When exercising the powers provided for in this chapter, the Board of Adjustment, in conformity with the provisions of this Planning and Zoning Ordinance, may reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination from which appealed and may make such order, requirement, decision, or determination as ought to be made.

B. The concurring vote of at least three (3) members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision, or determination being appealed from, to decide in favor of the applicant, or to decide any matter which may properly come before it.

SECTION A-815 SPECIAL EXCEPTIONS

The Board of Adjustment is authorized to make special exceptions to specific uses allowed within each zoning category according to this Planning and Zoning Ordinance 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 Planning and Zoning Ordinance.

SECTION A-816 VARIANCES

A variance from the terms, standards and criteria that pertain to an allowed use category within a zoning district as authorized by this Planning and Zoning Ordinance may be granted, in whole, in part, or upon reasonable conditions as provided in this Article, only upon a finding by the Board of Adjustment that:

A. The application of the Planning and Zoning Ordinance to the particular piece of property would create an unnecessary hardship;

B. Such conditions are peculiar to the particular piece of property involved;

C. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this Planning and Zoning Ordinance or the General Plan, and

D. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

E. The hardship is not created by the applicant.

F. The applicant for variance has the **burden of proof** of showing that granting of variance will not be contrary to public interest, that literal enforcement of this Planning and Zoning Ordinance will result in unnecessary hardship, that by granting the variance the spirit of this Planning and Zoning Ordinance will be observed, and that by granting the variance, substantial justice will be done.