

ORDINANCE NO. 1355

AN ORDINANCE OF THE CITY OF DEL CITY, OKLAHOMA AMENDING CHAPTER 3 (USE UNIT CLASSIFICATIONS) AND CHAPTER 4 (ZONING DISTRICTS) OF THE DEL CITY PLANNING AND ZONING ORDINANCE (APPENDIX A OF THE DEL CITY CODE OF ORDINANCES); CREATING A SINGLE FAMILY LARGE HOME RESIDENTIAL ZONING DISTRICT; CREATING THE USE UNIT CLASSIFICATION OF LARGE HOME RESIDENTIAL; ESTABLISHING A GENERAL DESCRIPTION AND REGULATIONS FOR USES AND DEVELOPMENT WITHIN THIS DISTRICT; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DEL CITY, OKLAHOMA:

Section 1: The City Council, on recommendation of the Planning Commission, hereby finds as follows:

- A. That establishment of a Single Family Large Home Residential zoning district and associated use unit classifications are necessary for the implementation of recent amendments to the Del City Comprehensive Plan and Long Range Physical Development Map;
- B. That establishment of a Single Family Large Home Residential zoning district will aid in properly regulating development to ensure the highest and best use of certain tracts of land within the City of Del City; and
- C. That establishment of a Single Family Large Home Residential zoning district is in the best interests of the continued development and redevelopment of the community.

Section 2: Chapter 3 of the Del City Planning and Zoning Ordinance is hereby amended to add Section A-304.8 and renumber accordingly, with Section A-304.8 to read as follows:

Section A-304.8 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 by any other dwelling unit or main building. This use is intended to specify occupancy 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 is designed to very high quality standards for aesthetics and livability.

Section 4: Chapter 4 of the Del City Planning and Zoning Ordinance is hereby amended to add Section A-413 to read as follows:

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 provisions contained in this Planning and Zoning Ordinance

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

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 ten (110) feet.

Section A-406.3 Design and Construction Requirements

These requirements shall supersede all less stringent requirements found in other city regulations, including but not limited to subdivision regulations and adopted codes.

- 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 feet wider than the utility easement across the back yard, whichever is the greater distance.
- 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 (2400) 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, copper 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 storage 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 and 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 mini-van, are not permitted to be parked or stored except while actively engaged in provision of services.

O. Landscaping: Each building shall be serviced 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 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 both 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

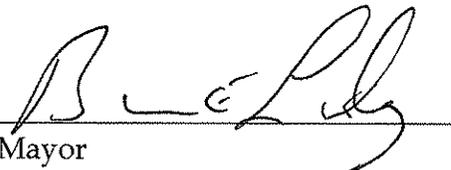
does not exist or fails to adequately maintain common areas and infrastructure, responsibility for such maintenance will fall jointly to the original developer and any subsequent developers, along with the owners and occupants of all properties served by the common area or infrastructure. In the event 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.

Section 3: REPEALER. All former Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4: SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5: EMERGENCY. It being immediately necessary for the preservation of public health, peace and safety of the City of Del City and the inhabitants thereof, and emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED AND APPROVED and the emergency clause voted upon separately and passed and approved, this 17th day of JANUARY, 2012.



Mayor

ATTEST:

Carol Woble
City Clerk

Approved as to form this 17 of January 2012.

Janet Fred
City Attorney