

The following ordinance was approved on 6/27/2017 and becomes effective January 1, 2018. The text of this ordinance reflects only the sections of Title 22 that were modified by this ordinance.

ORDINANCE NO. 3611

AN ORDINANCE AMENDING TITLE 22 ZONING ORDINANCE OF THE EDMOND MUNICIPAL CODE BY AMENDING SUBSECTIONS 22.3.2(C) ZONING MAP AMENDMENT (REZONING) - REVIEW CRITERIA; 22.3.3(C) SPECIFIC USE PERMIT - REVIEW CRITERIA; 22.3.4(C) PLANNED UNIT DEVELOPMENT REZONING REVIEW PROCESS - APPLICATION REQUIREMENTS; 22.3.4(D) REVIEW CRITERIA; 22.3.5(C) SITE PLAN REVIEW PROCESS; 22.3.5(D) REVIEW CRITERIA; 22.3.5(E) RELATIONSHIP TO BUILDING PERMIT; 22.3.6(C) CEUD SITE PLAN REVIEW PROCESS; 22.3.6(D) REVIEW CRITERIA; 22.3.6(E) RELATIONSHIP TO BUILDING PERMIT; 22.6.1(C) (4) GENERAL STANDARDS - OFF-STREET PARKING - EXCESS SPACES; 22.6.1(C) (7) PARKING AREA DESIGN 22.6.1(C) (8) PARKING AREA LANDSCAPING; 22.6.1(D) SITE LANDSCAPING; 22.6.2(D) I-35 CORRIDOR DISTRICT SUPPLEMENTAL SITE DESIGN STANDARDS - I-35 SITE LANDSCAPING; 22.6.3(D) LAKE DISTRICT SUPPLEMENTAL SITE DESIGN STANDARDS - LAKE COMMERCIAL SITE LANDSCAPING; 22.6.4(E) CBD AND DRD STREETSCAPING AND LANDSCAPING; 22.8.6(H) LANDSCAPING MAINTENANCE PENALTY; 22.9.2(B) TERMS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR REPEALER AND SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EDMOND, OKLAHOMA:

SECTION 1. Subsection 22.3.2(C) of the Edmond Municipal Code is hereby amended to read as follows:

Zoning Map Amendment Review Process

- (C) *Review Criteria.* In determining whether to approve, approve with conditions or deny a Zoning Map amendment, the City Council shall consider the following factors:
- (1) Consistency (or lack thereof) with the Edmond Plan;
 - (2) Compatibility with the present zoning and conforming uses of nearby property, including overlay zoning and with the character of the neighborhood;

- (3) Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment;
- (4) Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment;
- (5) Length of time the subject property has remained vacant as zoned;
- (6) The extent to which approving the rezoning shall detrimentally affect adjacent properties;
- (7) The gain, if any, to the public health, safety and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application;
- (8) Availability of water, wastewater and stormwater facilities suitable and adequate for the proposed use;
- (9) The anticipated impact to tree canopy cover, forested areas, and areas of the Cross Timbers ecosystem; and
- (10) The negative impact, if any, which may be reasonably anticipated as a result of approval of the application.

SECTION 2. Subsection 22.3.3(C) of the Edmond Municipal Code is hereby amended to read as follows:

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

- (1) The proposed specific use is not detrimental to the public health, safety, and welfare of the surrounding neighborhood;
- (2) All aspects of the proposed specific use site plan are harmonious with the character of the surrounding area;
- (3) The location and area of main and accessory buildings on the site properly relate to each other and to adjacent uses;
- (4) The proposed use does not negatively impact existing uses in the area and in the City through impacts on existing

public infrastructure such as roads, parking, loading and access facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection; and

- (5) The standards in Section 22.6.5, Sensitive Borders Standards, are met when the use is proposed within 300 feet of any residential property.
- (6) The anticipated impact to tree canopy cover, forested areas, and areas of the Cross Timbers ecosystem.
- (7) The provision and manner of maintenance of fences, walls and landscaping is adequate.

SECTION 3. Subsection 22.3.4(C) of the Edmond Municipal Code is hereby amended to read as follows:

Planned Unit Development Rezoning Review Process

- (C) *Application Requirements.* A property owner or his or her agent may initiate an application for PUD designation by submitting an application for master plan review with the Planning Director. The following information shall constitute a PUD master plan:
- (1) A general circulation plan for the entire parcel, showing major pedestrian/bicycle and automobile circulation routes and connections to the public right-of-way and sidewalk system;
 - (2) A general drainage plan for the entire parcel, showing in general—but without detailed calculations—how stormwater shall be handled and how the system shall interconnect with the City's stormwater system;
 - (3) A proposed master plan, and a PUD Design Statement text describing the locations and intensities of all proposed land-uses, supported by calculations showing the effective density and a listing of all variances requested;
 - (4) A proposed land use map, clearly indicating the location of all proposed open space and tree preservation and indicating each part of the open space as to whether it is proposed to be publicly or privately owned;
 - (5) Access roads, service drives, parking areas, open spaces and other infrastructure intended solely for the property owners of the PUD shall not be maintained or improved by the

City. At a minimum, such facilities shall be constructed in compliance with the standards for public facilities set out in Title 21 of the City Code unless provisions are specifically waived, conditioned or otherwise adjusted by the appropriate City entity in writing;

- (6) Outline of plan (or draft documents if available) creating the proposed property owners' associations and covenants, if applicable. Where the property owners' association will be responsible for fees on any privately-owned, required open space, and/or maintenance of any required open space, public rights-of-ways, stormwater facilities or sewer and water lines, the documents shall include a fiscal feasibility analysis showing how the operations of the property owners' association shall be financed, including provisions for a sinking fund for eventual replacement of facilities; final documents will be required with the final plat.
- (7) The application for PUD and master plan approval shall include all contiguous property under the ownership or control of the applicant.

SECTION 4. Subsection 22.3.4(D) of the Edmond Municipal Code is hereby amended to read as follows:

- (D) *Review Criteria.* In determining whether to approve, approve with conditions or deny a PUD application, the City Council shall consider and make findings on the following factors:
 - (1) Consistency (or lack thereof) with the Edmond Plan;
 - (2) The standards set forth in Section 22.4.33 and Chapter 6;
 - (3) Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;
 - (4) Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed PUD;
 - (5) Suitability of the property affected by the PUD for uses permitted by the district applicable to the property at the time of the proposed PUD;
 - (6) Utilities and infrastructure sufficient to address the needs of the proposed use;
 - (7) Substantive conditions regarding the layout, density, circulation, and performance of the proposed development;

- (8) Any concerted effort that is made to preserve trees by the standard set forth in subsection 22.6.1 (D); and the anticipated impact to tree canopy cover, forested areas, and areas of the Cross Timbers ecosystem; and
- (9) Suitability of PUD Master Plan Design and requested variances from Chapter 6.

SECTION 5. Subsection 22.3.5(C) of the Edmond Municipal Code is hereby amended to read as follows:

Site Plan Review Process

- (C) *Application Contents.* In addition to the required filing fees and notice fees, a site plan application shall include at least the following items. The materials described in paragraphs (1) through (5) below shall be signed and sealed by a Professional Engineer registered in the State of Oklahoma.
- (1) Cover sheet, providing the name of the proposed development accompanying plat, if available, the names of the current City of Edmond Mayor, City Council and City Manager, a sheet index, a vicinity map showing the location of the project, and the engineer of record and associated information;
 - (2) Survey, providing a legal description of the property, the boundaries of the property, existing vegetation, all utilities and easements of record including the book and page numbers of the filed easements, topographic contours with intervals of not over two feet, any regulatory flood plain boundaries that affect the subject property, all adjacent streets and right-of-way, and existing driveways on the site and on properties adjacent to or across the street from the subject property;
 - (3) For sites with an existing tree canopy cover of 20% or greater of the total site area or a parcel containing any amount of potential remnant forest, a Tree Resource Evaluation shall be performed in accordance with Section 22.6.1(D)(4), by a professional as identified in 22.6.1(D)(2);
 - (4) Site plan, providing the location and dimensions of all structures and improvements, driveways/drive approaches, public right-of-way, parking and loading areas, drive aisles, sidewalks, outdoor storage areas and height and type of any fencing or screening;

- (5) Grading plan, providing all existing and proposed contours with intervals of not over two feet, the location of all structures, retaining walls, ponds, storm sewer improvements, and regulatory flood plain boundaries;
- (6) Drainage calculations report, related grading plan and erosion control plan, operation and maintenance manual signed and sealed by a Professional Engineer registered in the State of Oklahoma, in compliance with Title 23 of the City Code;
- (7) A retaining wall plan, if applicable, that includes materials used in the design and that meets the International Building Code;
- (8) Utility plan, providing the location of all proposed and existing public and private utilities and easements, proposed electrical loads, service type, ampacity and locations of the disconnect, service line and transformer;
- (9) Lighting plan, including number, location and height of poles, the type of lighting fixtures and type of illumination, pattern of illumination from each light, on-site building lighting, decorative lights, accent lights and sign lights;
- (10) Location, height, type, color material and size of all signs, including any site decorations or structures, such as flagpoles, benches, public art, banners, canopies, tents or other open display structures;
- (11) Elevation drawings depicting the number of stories and materials used on all exterior walls, roofs, entries and windows showing general architectural appearance and motif of the structures, including exterior finishes, treatments, materials and colors;
- (12) Landscape plan, including a program for continued landscape maintenance, a detailed landscape plan as specified in 22.6.1(D)(2) for the required site and a completed site plan landscape form;
- (13) Tree preservation plan for all trees proposed to be saved, as set forth in subsection 22.6.1(D);
- (14) Detailed plant listing that identifies types of plant material proposed; and
- (15) Summary of landscape area calculations and proposed plant unit values.

SECTION 6. Subsections 22.3.5(D) of the Edmond Municipal Code is hereby amended to read as follows:

- (D) *Review Criteria.* In determining whether to approve, approve with conditions or deny a site plan application, the Planning Commission shall consider the following factors:
- (1) Consistency with the applicable provisions of Chapter 4, Chapter 5 and Chapter 6;
 - (2) Compliance with other applicable City regulations;
 - (3) Positive physical impact on the public health, safety, welfare and convenience of persons residing or working in the area;
 - (4) Visual compatibility of the height, area, yards and overall mass, as well as parts of any structure or attendant facilities with the character and development of the surrounding area;
 - (5) Ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways are designed to promote safe, efficient vehicular circulation, pedestrian movement, parking and site serviceability;
 - (6) There is adequate utility access and easements to serve all buildings, structures and other facilities on the site;
 - (7) There is adequate existing and proposed water, sewer and stormwater drainage facilities in accordance with the requirements for these facilities as specified in the City Code;
 - (8) The inclusion or lack of tree preservation provided in accordance with the standard set forth in subsection 22.6.1(D)(6); and the anticipated impact to tree canopy cover, forested areas, and areas of the Cross Timbers ecosystem;
 - (9) The standards in Section 22.6.5, Sensitive Borders Standards, are met when multiple-family or nonresidential uses are proposed within 300 feet of any residential property;
 - (10) When multiple-family or nonresidential uses are proposed adjacent to existing less intensive multiple-family or nonresidential uses, the site plan emphasizes quality design and landscaping to minimize the impact of the project on the established area; and

- (11) When multiple-family or nonresidential uses are proposed adjacent to major arterials, the site plan emphasizes quality design to maximize the natural features of the land and create a safe and visually pleasant driving experience by substantial landscaping placed adjacent to the public right-of-way.
- (12) Compliance with PUD Master Plan Design and requested variances from Chapter 6.

SECTION 7. Subsection 22.3.5(E) of the Edmond Municipal Code is hereby amended to read as follows:

(E) *Relationship to Building Permit.*

- (1) The provisions of the approved site plan shall become a regular part of any application for any building permit in the district specified.
- (2) The approved site plan shall be the plot plan required to be submitted to the Building Department with the application for a building permit. No building permit may be issued prior to the completion of the site plan review process. Field changes made to an approved site plan shall be in accord with subsection (F) below.
- (3) If the location, species or quality of the plant material or if the tree preservation plan is altered from the approved site plan, a revised landscape plan or tree preservation plan shall be required prior to any inspection for a certificate of occupancy.

SECTION 8. Subsection 22.3.6(C) of the Edmond Municipal Code is hereby amended to read as follows:

CEUD Site Plan Review Process.

(C) *Application Contents.* In addition to the required filing fees and notice fees, a site plan application shall include at least the following items. The materials described in (1) through (5) below shall be signed and sealed by a Professional Engineer registered in the State of Oklahoma.

- (1) Cover sheet, providing the name of the proposed development, the names of the current City of Edmond Mayor, City Council and City Manager, a sheet index, a vicinity map showing the location of the project, and the engineer of record and associated information;
- (2) Survey, providing a legal description of the property, the boundaries of the property, existing vegetation, all

utilities and easements of record including the book and page numbers of the filed easements, topographic contours with intervals of not over two feet, any regulatory flood plain boundaries that affect the subject property, all adjacent streets and right-of-way, and existing driveways on the site and on properties adjacent to or across the street from the subject property;

- (3) For sites with an existing tree canopy cover of 20% or greater of the total site area or a parcel containing any amount of potential remnant forest, a Tree Resource Evaluation shall be performed in accordance with Section 22.6.1(D)(4), by a professional as identified in 22.6.1(D)(2);
- (4) Site plan, providing the location and dimensions of all structures and improvements, driveways/drive approaches, public right-of-way, parking and loading areas, drive aisles, sidewalks, outdoor storage areas and height and type of any fencing or screening;
- (5) Grading plan, providing all existing and proposed contours with intervals of not over two feet, the location of all structures, retaining walls, ponds, storm sewer improvements, and regulatory flood plain boundaries;
- (6) Drainage calculations report, related grading plan and erosion control plan, operation and maintenance manual signed and sealed by a Professional Engineer registered in the State of Oklahoma, in compliance with Title 23 of the City Code.
- (7) A retaining wall plan, if applicable, that includes materials used in the design and that meets the International Building Code;
- (8) Utility plan, providing the location of all proposed and existing public and private utilities and easements, proposed electrical loads, service type, ampacity and locations of the disconnect, service line and transformer;
- (9) Lighting plan, including number, location and height of poles, the type of lighting fixtures and type of illumination, pattern of illumination from each light, on-site building lighting, decorative lights, accent lights and sign lights;
- (10) Location, height, type, color material and size of all signs, including any site decorations or structures, such as flagpoles, benches, public art, banners, canopies, tents or other open display structures;

- (11) Elevation drawings depicting the number of stories and materials used on all exterior walls, roofs, entries and windows showing general architectural appearance and motif of the structures, including exterior finishes, treatments, materials and colors;
- (12) Landscape plan, including a program for continued landscape maintenance, a detailed landscape plan as specified in 22.6.1(D)(2) for the required site and a completed site plan landscape form;
- (13) Tree preservation plan for all trees proposed to be saved, as set forth in subsection 22.6.1(D);
- (14) Detailed plant listing that identifies types of plant material proposed.
- (15) Summary of landscape area calculations and proposed plant unit values.

SECTION 9. Subsection 22.3.6(D) of the Edmond Municipal Code is hereby amended to read as follows:

- (D) *Review Criteria.* In determining whether to approve, approve with conditions or deny a site plan application, the City Council shall consider the following factors:
 - (1) Consistency with the applicable provisions of Chapter 4, Chapter 5 and Chapter 6;
 - (2) Compliance with other applicable City regulations;
 - (3) Positive physical impact on the public health, safety, welfare and convenience of persons residing or working in the area;
 - (4) Visual compatibility of the height, area, yards and overall mass, as well as parts of any structure or attendant facilities with the character and development of the surrounding area;
 - (5) Ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways are designed to promote safe, efficient vehicular circulation, pedestrian movement, parking and site serviceability;
 - (6) There is adequate utility access and easements to serve all buildings, structures and other facilities on the site;
 - (7) There is adequate existing and proposed water, sewer and stormwater drainage facilities in accordance with the

requirements for these facilities as specified in the City Code;

- (8) The inclusion or lack of tree preservation provided in accordance with the standard set forth in subsection 22.6.1(D)(6); and the anticipated impact to tree canopy cover, forested areas, and areas of the Cross Timbers ecosystem;
- (9) Consistency with the objectives of the Downtown Design Guidelines;
- (10) When multiple-family or nonresidential uses are proposed adjacent to existing less intensive multiple-family or nonresidential uses, the site plan emphasizes quality design, landscaping and Downtown Design Guidelines for streetscape to minimize the impact of the project on the established area; and
- (11) Compliance with PUD Master Plan Design and requested variances from Chapter 6.

SECTION 10. Subsection 22.3.6(E) of the Edmond Municipal Code is hereby amended to read as follows:

(E) *Relationship to Building Permit.*

- (1) The provisions of the approved site plan shall become a regular part of any application for any building permit in the district specified.
- (2) The approved site plan shall be the plot plan required to be submitted to the Building Department with the application for a building permit. No building permit may be issued prior to the completion of the site plan review process.
- (3) If the location of the plant material, species or quantity, or tree preservation plan is altered from the approved site plan/landscape plan, a revised landscape plan/tree preservation plan is required prior to any inspection for a certificate of occupancy.

SECTION 11. Subsection 22.6.1(C) (4) of the Edmond Municipal Code is hereby amended to read as follows:

- (C) (4) *Excess Spaces.* If an applicant desires parking spaces in excess of the number required for a particular use in the table above, tree plant units in addition to those required in this Chapter shall be provided on the site. Fifteen additional tree plant units shall be provided for every four, or any portion thereof, excess parking spaces.

SECTION 12. Subsection 22.6.1(C) (7) of the Edmond Municipal Code is hereby amended to read as follows:

(7) *Parking Area Design.*

(a) *Parking Dimensional Standards.*

- i. Minimum aisle widths, space width and space length shall be as follows.

Parking Angle	Aisle Width		Space Width (ft.)	Space Length (ft.)
	One Way	Two Way		
90	24'	24'	9	18
45	15	24'	9	18
30	15	24'	8½	18
Parallel	15	24'	8	18

- ii. Aisle widths may be reduced to 12 feet for one-way traffic where no parking spaces empty into them.
- (b) *Access.* Required spaces shall not have direct access to a public right-of-way unless approved through the Planning Commission or City Council as required. Access to required spaces shall be provided by on-site driveways. Spaces shall be accessible without backing into or otherwise reentering a public right-of-way. The Planning Commission or City Council as required may approve on-street parking where deemed reasonable based on the traffic characteristics of the adjacent street.
- (c) *Markings.*
 - i. Each required space shall be identified by white surface markings at least four inches in width. Markings shall be visible at all times.
 - ii. One-way and two-way vehicular accesses into parking areas should be identified by directional arrows.
- (d) *Surfacing.* All site area used for parking space and aisle purposes shall be paved with a sealed surface pavement or engineered permeable pavement, and maintained in such a manner that no dust shall be produced by continued use.

SECTION 13. Subsection 22.6.1(C) (8) of the Edmond Municipal Code is hereby amended to read as follows:

- (8) *Parking Area Landscaping.* Off-street parking and vehicular circulation areas in excess of 1,500 square feet or five spaces shall provide interior landscape areas in accordance with the following. Interior landscape areas shall be located to divide and break up expanses of paving and at strategic points to guide traffic flow, direction, and to provide tree planting areas within and around the parking area. Interior island and median island requirements may be forgone when including such landscape areas will directly result in reduced forested area preservation. A Tree Resource Evaluation shall be provided to verify potential resulting impacts. No parking area landscape reductions may occur on sites where parking is provided in amounts greater than that required by code.
 - (a) *Perimeter Buffer.* When an off-street parking or vehicular circulation area is located in a street yard, there shall be a landscape area along the entire perimeter

of the parking area of not less than 10 feet in width. When the 10 foot width cannot be provided, the width may be reduced to a minimum of 5 feet. With any reduction in width, a two (2) foot width of permeable pavement shall be provided adjacent to the landscape area for each one (1) foot, or any portion thereof, of width reduction. When an off street parking or vehicular circulation area is located in the side yard, and where the zoning district requires a side yard width of five feet or greater, there shall be an improved landscape area along the entire perimeter of the parking area of not less than 5 feet in width. The required width of all perimeter buffers must be within the property lines of the site. Existing trees should be preserved and utilized to contribute to the required screening of the off-street parking area where possible. Plant material including trees, shrubs and/or perennials shall be included throughout the perimeter buffer area. Off-street parking areas are encouraged in the rear yard when vehicular access is possible between adjacent structures. Landscaping shall not encroach on public right-of-way or sight triangles unless specifically authorized.

Perimeter Buffer

- (b) *Interior Islands.* An interior landscape island shall be provided for every 15 spaces. Each island planned shall contain a minimum of 200 square feet with a minimum width of 12 feet inside the pavement edge or curb. When the 12 foot width cannot be provided, the interior width may be reduced to a minimum of five foot. With any reduction in width, a two (2) feet width of permeable pavement shall be provided adjacent to the landscape area for each one (1) foot, or any portion thereof, of width reduction. One tree with a minimum caliper of two inches shall be included in each island. Selection of trees shall take into account the need for clear sight triangles in the parking area.
- (c) *Terminal Islands.* All rows of spaces should terminate in a curbed landscape island. Each island planned shall conform to the specifications described in paragraph (b) above.
- (d) *Median Islands.* A median island landscape area with a minimum width of 10 feet inside the pavement edge or curb shall be sited between every three double parking rows and should be provided along primary internal and

external access drives. When the 10 foot width cannot be provided, the interior width may be reduced to a minimum of five feet. With any reduction in width, a two (2) foot width of permeable pavement shall be provided adjacent to the landscape area for each one (1) foot, or any portion thereof, of width reduction. Plant material including trees, shrubs, and/or perennials shall be included throughout the median island.

- (e) Permeable pavement should not be used adjacent to any surface water drainage structures.

SECTION 14. Subsection 22.6.1(D) of the Edmond Municipal Code is hereby amended to read as follows:

(D) *Site Landscaping.*

(1) *Purpose.*

- (a) It is the purpose of this subsection that landscaping shall be included as an integral part of the built environment to provide an environmentally sound landscape, quality of life, and amenities in keeping with the natural physical surroundings of the city.
- (b) Use of plant preservation, new plant material, berms, fences, walls, and other landscape features is encouraged where feasible in order to:
 - i. Preserve the existing, native trees and other physical site values.
 - ii. Use trees to provide shade for the landscape, building and parking area, to result in urban heat island mitigation and energy conservation.
 - iii. Minimize soil erosion.
 - iv. Contribute to air purification through removal of dust and pollutants and production of oxygen.
 - v. Provide appropriately selected and placed trees that avoid future conflicts with infrastructure and site uses.
 - vi. Screen and buffer undesirable views and noise.
 - vii. Soften the visual impact of large paved areas.
 - viii. Soften the edge between a parking area and the building or adjacent public right-of-way.

- ix. Provide pedestrian friendly access and safety by defining walkways, traffic circulation, special use areas and building entries.
- x. Complement the architectural form of a building and provide outdoor uses.
- xi. Mitigate impacts of lighting or other negative influences.
- xi. Provide an aesthetically pleasing environment for site users, neighbors, and the public.

(2) Landscape Plan Design Professional & Plan Elements.

- (a) Landscape plans shall be prepared by a licensed Landscape Architect or other as pre-approved by the Urban Forestry Commission.
- (b) Tree resource evaluations and preservation plans shall be prepared by a licensed Landscape Architect, a professional Forester registered with the State of Oklahoma, an ISA certified arborist, or other as pre-approved by the Urban Forestry Commission.
- (c.) Others as approved by the Urban Forestry Commission: The Urban Forestry Commission shall adopt procedures and criteria for the review of professionals who are alternatively qualified to prepare either landscape plans, tree preservation plans, and/or conduct tree resource evaluations. The Commission shall maintain a list of alternatively qualified professionals.
- (d) Landscape Plan Elements: plans shall be prepared to contain and identify the following elements, and shall be submitted in the following manner.
 - i. The date, scale, north arrow, project name, name of Landscape Architect/designer and name of the owner/developer.
 - ii. Master plan for multi-phase developments within the same parcel.
 - iii. The location of property lines, dimensions of the tract, and measurement of total lot area.
 - iv. Delineated area of development.
 - v. Parking requirement calculations.
 - vi. Site Features:

- a. Existing and proposed public easements and infrastructure within or adjacent to the lot.
 - b. Existing forested areas and trees committed to preservation, regardless of credit received.
 - c. The approximate center line of all existing water courses.
 - d. The location and size of existing and proposed drive aisles, streets and alleys, parking areas and other improvements to the site.
 - e. Existing and proposed sidewalks on or adjacent to the lot.
 - f. Proposed and existing structures remaining on the property.
 - g. Existing topography and proposed grading.
- vii. Proposed Landscaping:
- a. Identification and measurement of deducted Forested Areas or Native Plant Communities as defined by 22.6.1(D) (5).
 - b. Calculations for total lot area, landscape area required, and plant units required.
 - c. Layout of plant material provided for plant unit credit.
 - d. Plant symbols drawn to scale within approximately 20% of the mature size expected of the species.
 - e. Chart specifying plant common and botanical name, material minimum size specifications, credit claimed towards required total, frontage, evergreen, and tree plant units.
 - f. A tree planting detail compliant to ISA specifications and a shrub planting detail if shrubs are used.

(3) *Landscaping Standards.* All applicable development, redevelopment or renovation shall be landscaped with trees and ornamental shrubs. Application for site plan approval shall be accompanied by a detailed landscape plan for both the required site area and, if appropriate, the area within the public right-of-way between the property line and curb. The plan shall meet the following requirements.

- (a) *Landscape Area.* Percent of landscaping required to meet the objectives of site plan review:

- i. Not less than 10 percent of the total lot area shall be landscaped for all applicable districts, exclusive of public right-of-way. Not less than 50 percent of this area shall be in the frontage.
 - ii. Not less than 30 percent of the total lot area shall be landscaped in the F-0 district.
 - iii. Any landscape area less than 5 feet wide shall not be counted toward the landscape area requirement.
 - iv. For industrial projects that do not abut residential uses or districts or without frontage on major arterial roadways, the minimum landscaping may be reduced to five percent of the site area at the discretion of the City Council.
 - v. The surface area of a body of water existing on the property shall be excluded from the lot area when the existing body of water will remain.
 - vi. The surface area of a regulatory flood plain may be excluded from the lot area. Plant material within an excluded area may not be credited toward required plant units.
- (b) Plant Unit. A plant unit is a measurement tool that translates the amount of required plant material into a quantifiable, but flexible unit.
- (c) There shall be a minimum of 20 live plant units provided for every 250 square feet of required landscape area.
- (d) A minimum of 40 percent of total plant units required shall be within the frontage adjacent to any public street.
- (e) A minimum of 52 percent of total plant units required shall be trees. Species diversity is encouraged and should be provided in accordance with sound urban forestry practices. No single tree species should account for more than 33% of the new tree plant units on sites where 150 or more tree plant units are required.
- (f) A minimum of 25 percent of total plant units required shall be evergreen.
- (g) The following table provides plant unit allocation for trees and shrubs. Plant types correspond to the American Standard for Nursery Stock.

Landscape Material	Size for Credit	Plant Units
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Type 0 deciduous shrubs, herbaceous perennials, ornamental grasses, and groundcovers	Minimum 1 gal. (or smaller pots in quantity to equal volume)	0.5
Type 1 and 2 deciduous, conifer, or broadleaf evergreen shrub	Minimum height or spread of 15"	2
Roses, grade No 1.5	Minimum height or spread of 10"	2
Type 3 and 4 broadleaf evergreen	Minimum height of 15"	2
Type 3 deciduous or conifer shrub	Minimum height of 2'	2
Type 5 and 6 broadleaf evergreen	Minimum height of 7'	10
Type 1 and 2 shade tree	Minimum 2.5" caliper	15
Type 3 and 4 small tree	Minimum 2" caliper	10
Type 4, 5 and 6 conifer	Minimum height of 7'	10

- (h) Spaded trees may be claimed for credit in accordance with the plant unit chart for new plants.
- (i) *Clear Sight Triangles*. Traffic control requires that the plan respect all sight triangles at driveways and intersections as described in subsection 22.5.3(E) and be approved for all elements relating to overall traffic control. Small species plant material with a mature height greater than 24 inches shall not be planted in these areas.
- (j) *Utility Easements*. Trees inside, or with a trunk within 6' of any public utility easements cannot be counted towards the landscaping requirements. Plantings should be planned to minimize conflict between the tree, easement access, and utility hardware. Tree species selection and placement shall consider clearances around overhead utility lines.
- (k) *Planting Areas*. Any plant provided for plant unit credit shall be planted within an area consistent with the following provisions
- i. An edging material should be installed along any border between planting beds and bermuda grass. Steel,

aluminum, stone, and wood composites are acceptable edging materials.

ii. Any tree provided for plant unit credit shall be planted in a landscape area of at least 115 sq. ft.

iii. Organic mulch shall be applied to all planting areas.

iv. Any gravel or crushed stone used as a groundcover shall be of a size and shape that will prevent the material from being washed, blown, or tracked out of the bed area.

(4) Tree Resource Evaluation. When required, the objective of the tree resource evaluation shall be to determine the tree resources present within the development site prior to planning and design so that the site may be designed to maximize tree conservation. Tree Resource Evaluations shall be performed in accordance with the following:

(a) The evaluation shall be conducted for all trees or stands of trees within and adjacent to the area to be impacted by development activity.

(b) The evaluation shall assess and identify, but not be limited to, the following:

(i) The presence, condition, and location of any area exhibiting the Cross Timbers ecosystem.

(ii) Any areas identified as potential remnant forest.

(iii) Trees or stands of trees that are significant due to unique characteristics in species, size, or condition relative to the area.

(iv) Forested areas and trees that could serve as a buffer between diverse land uses or provide ecosystem connectivity to adjacent sites or parts of the site.

(c) Trees and areas that are candidates for retention and incorporation into the site design should be identified.

(d) Landscape and site plans should incorporate the trees and areas to be retained and protected.

(e) The information contained within the tree resource evaluation shall be used to evaluate the site plan's demonstration of meeting the objectives identified in 22.6. (D) (1)

(5) *Deduction of Forested Areas or Native Plant Communities.* Forested areas and areas of native plant cover within a

parcel may be deducted from the total lot area when the following criteria are met:

- (a) The area is limited to the extent of a stand of trees or native vegetation of maturity, density, condition and vigor sufficient enough to maintain the ecosystem health after development of the site.
- (b) Maintenance of the area conserves the health and stand composition of the existing plant material type.
- (c) The area has contiguous plant cover measuring at least 10,000 sq. ft., uninterrupted by easements, or is part of a smaller area connected to one.
- (d) The area has a minimum width of 100 feet, uninterrupted by easements. Easements within an area will constitute the edge of the deducted area.
- (e) The area is protected in accordance with the most recently published edition of the Edmond Tree and Landscape Guide.
- (f) Plant material within the deducted area is not credited toward required plant units.
- (g) Areas deducted from the total lot area shall be evaluated, conserved and protected in accordance with the most recent version of ANSI A300 (Part 5) and the Edmond Tree and Landscape Guide.

(6) *Tree Preservation.*

- (a) In order to preserve existing trees, trees that are evaluated and preserved in accordance with the most recently published edition of the Edmond Tree and Landscape Guide may be awarded plant unit credits. Plant unit credits for preserved trees are calculated by multiplying the number of trees per diameter class by their plant unit value. For large areas of trees, every tree does not need to be measured. Simpler methods may be used in estimating plant unit totals for large areas of trees or "stands". These are listed in the Edmond Tree and Landscape Guide. Tree credit is given based on the following chart.

Tree Diameter at Breast Height	Plant Units Each
2.0"–3.9"	15
4.0"–8.9"	20
9.0"–13.9"	17.5

14" and greater	15
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- (b) An additional 25% multiplier of the base points may be claimed for preserved trees of species native to the Cross Timbers Ecosystem, as listed in the Edmond Tree and Landscape Guide.
- (c) An additional 25% multiplier of the base points may be claimed for preserved trees within a buffer area. A buffer area is defined as the land area between the limits of any past or future construction activities and the property lines of the site.

Tree Preserved	base points	Cross Timbers Species	Within Buffer Area	Multiplied Value
2.0"-3.9"	15	0.25	0.25	22.5
4.0"-8.9"	20	0.25	0.25	30
9.0-13.9inch	17.5	0.25	0.25	26.25
14" and greater	15	0.25	0.25	22.5

Example multiplier application

- (d) Cottonwoods (*Populus deltoides*) and Eastern Red Cedar (*Juniperus virginiana*) less than 12 inches DBH shall not be credited as plant units.
- (e) All trees committed to preservation shall include a tree preservation plan regardless of points allocated. The tree preservation plan shall be prepared in accordance with the Edmond Tree and Landscape Guide and the latest version of ANSI A300 (Part5). The plan should be integrated with the site grading and demolition plans. The plan should include the following items:
- i. The location of trees to be retained.
 - ii. The location of tree root protection zones.
 - iii. The location of tree protection zone barriers.
 - iv. Detail drawings and specifications for tree preservation methods and devices.
 - v. Location and detail of soil erosion controls adjacent to tree protection zone barriers.
 - vi. Schedule of implementing tree preservation practices as it relates to phases of site development.

(7) Landscape Installation

- (a) Plant material shall be installed according to the plan approved by Planning Commission or City Council. Plant species substitutions and minor adjustments may be made on site, with the approval of Urban Forestry and when such changes result in no reduction of plant units from the approved site plan or plant material required in the Site Design Standards.
- (b) Plant unit credit shall not be given for plant material that does not meet the minimum size requirements identified in 22.6.1(D) (3).
- (c) All plant material shall be in good condition, free of disease, insect infestation, freeze damage, sunscald, or other defects such as abrasions or disfigurement.
- (d) Trees shall be planted in accordance with the latest version of standards in ANSI A300 Part 6, and the Edmond Tree and Landscape Guide, with emphasis on the following specifications. Trees planted in a manner that does not comply with these specifications shall not be considered to meet the requirements of the site plan.
 - i The root collar shall be at or no more than 2" above surrounding grade, with no soil backfilled on top of the root ball.
 - ii All root ball supporting materials shall be cut-off from the top third of the root ball and removed from the planting hole prior to final back filling.
 - iii Organic mulch shall be applied to a minimum depth of 3", extending from near, but not touching, the trunk to an area at least twice as wide as the rootball of the tree.
- (e) Tree protection zones shall be installed in accordance with the Edmond Tree and Landscape Guide and inspected prior to issuance of a building permit. Tree protection measures shall remain in place throughout the duration of the project.

(8) *Landscape Maintenance.*

- (a) All landscaping improvements shall be maintained in a live and healthy condition. It shall be the continuing duty of the property owner, its successors, or anyone having beneficial use of the property, to maintain plant material in a live and healthy condition and, if necessary, to replace any dead, diseased or damaged plants as soon as natural conditions allow.

- (b) Tree maintenance should be conducted in accordance with standards in ANSI A300 Part 1, and the Edmond Tree and Landscape Guide. Pruning activities violating the following standards shall constitute a requirement for replacing the tree on which the maintenance occurred:
 - i. Not more than 25 percent of a tree's crown shall be removed within an annual growing season.
 - ii. Branches shall be retained on at least 50% of the length of the trunk.
 - iii. Staking material shall be removed within one year of the landscape inspection approval date.
- (c) Replacements or Modifications: Any plant damaged or otherwise required to be replaced shall be evaluated as follows.
 - i. For trees, the landscape plant unit value for preserved trees, as established in this Chapter, shall be determined. Replacement trees shall be planted on the site in a quantity so that the associated new plant unit values are not less than the preserved value of the trees being removed.
 - ii. All other plant material should be replaced with a plant of the same type, as identified in the table for new plant material.
- (d) All tree preservation and deducted areas shall be maintained in a live and healthy condition. It shall be the continuing duty of the each succeeding property owner, or anyone having beneficial use of the property, to keep the preservation or area intact.
 - i. Tree preservation areas, forested areas, or native plant areas shall be actively managed to maintain the health and stand composition of the existing plant material type. Management should minimize the existence and establishment of weeds, Johnson grass, eastern red cedar, cottonwood, potential nuisance plant types or plant species that threaten the health and balance of the plant community.
 - ii. If changes or damages occur within the tree preservation area the owner is encouraged to retain the area in a natural state and replant naturally occurring trees in that area, as detailed in the Edmond Tree and Landscape Guide.
 - iii. In the event of a failure of the preservation effort due to manmade loses in any area set aside that

results in more than 15 plant units lost, additional plant material shall be required based on the preservation plant units lost. The points lost shall be replaced regardless of the original total plant unit requirement for the entire site.

- iv. Exceptions to this include naturally occurring disasters that affect tree preservation areas in excess of one half acre. In this instance owners are encouraged to replant. However, provided that the area is kept in a natural state, no landscape review is necessary.
- v. See subsection 22.8.6(H) Landscaping Maintenance Penalty.

SECTION 15. Subsection 22.6.2(D) of the Edmond Municipal Code is hereby amended to read as follows:

I-35 Corridor District Supplemental Site Design Standards

- (D) *I-35 Site Landscaping.* Application for site plan review shall be accompanied by a detailed landscape plan for both the required site area and the area within the public right-of-way between the property line and curb.
 - (1) *Open Space.* Not less than 15 percent of the site area shall be landscaped, exclusive of the public right-of-way unless greater landscaping standards apply based on the requirement of another district. Forty percent of the total landscaping shall be along the frontage.
 - (2) *Plant Density.* The site plan shall meet the following requirements.
 - (a) At least 30 live plant units shall be provided for every 250 square feet of required landscaped area. Plant unit designations for various plant sizes and types are listed in paragraph 22.6.1(D) (3) and 22.6.1(D) (6) above.
 - (b) Not less than 25 percent of all plant units shall be evergreen. Not less than 52 percent of the plant units shall be trees. Species diversity is encouraged and should be provided in accordance with sound urban forestry practices. No single tree species should account for more than 33% of the new tree plant units on sites where 150 or more tree plant units are required.

- (c) Any trees proposed for saving shall include a tree preservation plan according to paragraph 22.6.1(D) (6).
- (d) A majority of plant material should be species that are native to the Cross Timbers ecosystem or regional area.
- (3) *Alternative Compliance.* Landscaping requirements in paragraph (1) above may be reduced for each of the following conditions that are met or exceeded. However, in no event shall the percent of landscaped area be reduced by more than three percentage points regardless of the number of conditions met below.

Condition	Max. Reduction in Site Area to be Landscaped (percentage points)
Thirty-five percent of required plant units consist of existing trees proposed for preservation	1½
Landscaped areas directly adjoin existing landscaped areas on adjacent properties	½
Shared or regional detention facilities that serve 2 or more properties	½
Original natural topography and existing native vegetation preserved in undisturbed state	1
Site has features that aid in noise abatement	½

(a) Any trees proposed for saving shall include a tree preservation plan according to subsection paragraph 22.6.1(D) (6).

(b) Features that aid in noise abatement may include a combination of berms, masonry walls and wooden fences in conjunction with landscaping.

SECTION 16. Subsection 22.6.3(D) of the Edmond Municipal Code is hereby amended to read as follows:

Lake District Supplemental Site Design Standards

(D) *Lake Commercial Site Landscaping.* In addition to the general landscaping standards found in subsection 22.6.1(D), landscaping in the applicable districts shall meet the following minimum standards.

- (1) Main and accessory buildings and off-street parking and loading facilities shall cover not more than 70 percent of the site area.
- (2) All yard areas and open spaces shall be landscaped and maintained in a live and healthy condition with trees, ornamental shrubs and grass areas according to the following standards.
 - (a) *Open Space.* Not less than 30 percent of the total site area, exclusive of the public right-of-way, shall be landscaped with trees, ornamental shrubs and grass areas.
 - (b) *Plant Density.* There shall be a minimum of 30 live plant units provided for every 250 square feet of area. A minimum of 25 percent of the plant units shall be evergreen. Any trees proposed for saving shall include a tree preservation plan according to paragraph 22.6.1(D)(6).
 - (c) A 20-foot bermed and landscaped area shall be required adjacent to all residential districts.
 - (d) A sight-proof fence of wood, masonry materials or of materials matching the building construction, not less than five feet nor more than six feet high, shall be located on top of all berms adjacent to residential districts.
- (3) *Alternative Compliance.* The landscaping requirement in paragraph (1) may be reduced for each of the following conditions that are met or exceeded. However, in no event shall the percent of landscaped area be reduced by more than three full percentage points regardless of the number of conditions met below. The amount of percentage points specified for each of the following conditions shall apply.

Condition	Max. Reduction in Site Area to be Landscaped (percentage points)
Thirty-five percent of required plant units consist of existing trees proposed for preservation	1½

Landscaped areas directly adjoin existing landscaped areas on adjacent properties	½
Shared or regional detention facilities that serve 2 or more properties	½
Original natural topography and existing native vegetation preserved in undisturbed state	1
Site has features that aid in noise abatement	½

- (a) Any trees proposed for saving shall include a tree preservation plan according to paragraph 22.6.1(D) (6).
- (b) Features that aid in noise abatement may include a combination of berms, masonry walls and wooden fences in conjunction with landscaping.

SECTION 17. Subsection 22.6.4(E) of the Edmond Municipal Code is hereby amended to read as follows:

(E) *CBD and DRD Streetscaping and Landscaping.* All uses in this district shall be required to install trees, unless otherwise directed by the Central Edmond Urban Board through the site plan review process, either within the public right-of-way or on the subject lot, if trees meeting the following standards do not already exist. An application for site plan for new construction, remodeling or additions shall be accompanied by a streetscaping plan meeting the objectives of the Downtown Design Guidelines manual. The streetscaping and landscaping plan shall meet the following requirements.

- (1) A minimum of one tree shall be planted at an interval of approximately 40 feet in accordance with the streetscaping plan meeting the objectives of the Downtown Design Guidelines manual. The SPRT shall determine that the location and placement of any trees shown on a site plan comply with the applicable design standard.
- (2) All required trees shall be #1 grade, a minimum of two inch caliper and shall comply with all ANSI standards for nursery material and shall be pest and disease free.
- (3) Plantings including plant material, planting depth, staking materials and mulching shall comply with those

standards found in 22.6.1 (D) and the Edmond Tree and Landscape Guide.

- (4) A listing of acceptable plant materials for the CBD/DRD area is found in the Downtown Design Guideline manual. Alternate plant materials may be accepted if approved by the Urban Forester.
- (5) Corner areas at the intersection of two public right-of-way shall be landscaped with live plants, trees, shrubs, or grasses. Landscaping shall not encroach on public right-of-way or sight triangles unless specifically authorized.
- (6) All landscaping installed to meet these requirements shall be maintained in a live and healthy condition.

SECTION 18. Subsection 22.8.6(H) of the Edmond Municipal Code is hereby amended to read as follows:

(H) *Landscaping Maintenance Penalty.*

- (1) Where the provisions of this Title require the landscaping of property, it shall be the continuing duty of the property owner, his successors, or anyone having beneficial use of the property to maintain any such designated landscaping in a live and healthy condition and, if necessary, to replace any dead, diseased or damaged plantings which shall include trees that have been topped as soon as conditions allow. It shall also be unlawful for any person to remove or damage any tree in a preservation area established in an approved site plan subject to exemptions and requirements listed in paragraph 22.6.1(D)(8)(e). Failure to comply with the terms of this Section shall be deemed a violation of the terms of any permit, variance or other special consideration of the Council, subject to revocation of same. Failure to maintain landscaping shall constitute an offense punishable by a fine of \$200.00 per day, per occurrence, plus court costs. Each day in which a violation exists shall be deemed a separate and distinct offense.

SECTION 19. Subsection 22.9.2(B) Defined Terms of the Edmond Municipal Code is hereby amended to read as follows:

- (B) Terms not defined in this Title shall be construed in accordance their customary usage and meaning.
- (1) ABUT. Means to physically touch or border upon, or to share a common property line.

- (2) ACCESSORY BUILDING OR STRUCTURE. A building customarily incidental and appropriate and subordinate to the main building or use and located on the same lot with the main building.
- (3) ACCESSORY USE. A use customarily incidental, appropriate and subordinate to the principal use of land or buildings located upon the same premises.
- (4) ADJACENT. Near or close but not necessarily having a common property line.
- (5) AGRICULTURE. The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. The operation of commercial feed pens, sales yards and auction yards for cattle or hogs shall be deemed an industrial and not an agricultural use.
- (6) ALLEY. A public passage or way affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.
- (7) OMITTED
- (8) AUTOMOBILE. A self-propelled mechanical vehicle designed for use on public right-of-way for the conveyance of goods and people including but not limited to the following: passenger cars, trucks, busses, motor scooters, and motorcycles.
- (9) AUTOMATED/SELF-SERVE CAR WASH. A structure designed primarily for washing automobiles using production line methods with a chain conveyor, blower, steam cleaner, high pressure spray or other mechanical device.
- (10) BASEMENT. A story partly or wholly underground. For purposes of height measurement a basement shall be counted as a story when more than one-half of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.
- (11) BERM. An earthen mound designed to provide visual interest, screen undesirable views and/or decrease noise.
- (12) BUILDING. Any structure intended for shelter, housing or enclosure of persons, animals or chattel. When separated by

dividing walls without openings, each portion of such structure so separated shall be deemed a separate structure.

- (13) BUILDING COVERAGE. The percentage of the lot area covered by the building. The building area shall include all overhanging roofs.
- (14) BUILDING, MAIN. A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.
- (15) BUILDING SITE. A single parcel of land occupied or intended to be occupied by a building or structure.
- (16) CALIPER. The diameter of the tree trunk as measured at six inches above ground level for trees less than four inches in diameter. For trees greater than four inches in diameter, caliper is measured at 12 inches above ground level.
- (17) CARPORT. A permanent roofed structure permanently open on at least two sides, designed for or occupied by private passenger vehicles.
- (18) CHILD CARE CENTER. Any place, home or institution which provides care for eight or more children for six or more hours of the 24 hour day.
- (19) (CHILD CARE) NURSERY SCHOOLS. Nursery schools, kindergartens, pre-schools or other facilities which keep children for educational purposes for any regular period of time.
- (20) CLINIC, DENTAL OR MEDICAL. A facility for the examination and treatment of ill and afflicted human outpatients; provided, however, that patients are not kept overnight except under emergency conditions, including but not limited to dental and doctor's offices.
- (21) CONVALESCENT, REST, NURSING HOME, OR EXTENDED CARE FACILITY. A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.
- (22) COURT. An open unoccupied space, other than a yard on the same lot with a building or group of buildings and which is bordered on two or more sides by such building or buildings.
- (23) COURT, INNER. A court other than an outer court. The length of an inner court is the minimum horizontal dimension measured parallel to its longest side. The width of an inner

court is the minimum horizontal dimension measured at right angles to its length.

- (24) COURT, OUTER. A court the full width of which opens onto a required yard public right-of-way. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard or public right-of-way upon which the court opens. The depth of an outer court is the minimum horizontal dimension measured at right angles to its width.
- (25) CROSS TIMBERS FOREST, POTENTIAL REMNANT. Predominately post oak and black jack oak forested areas that have potentially remained forested since statehood. These are considered especially sensitive and valuable forest areas.
- (26) DECIDUOUS. A plant with foliage that is shed annually.
- (27) DIAMETER AT BREAST HEIGHT (DBH). The diameter of a tree trunk as measured four and one-half feet above ground level.
- (28) DISEASE AND PEST FREE. No visible signs of insect casts, egg sacks, fecal matter, webs or other signs. No signs of spots, necrosis, trunk or branch injury, open pruning wounds, sap flow, borer holes, etc.
- (29) DISTRICT, ZONING OR BASE. Any section or sections the City for which regulations governing the use of buildings and premises or the height and area of buildings are uniform.
- (30) DRIVE-IN FACILITY. An accessory portion of a main building that is designed to accommodate a patron's automobile. It is intended that the patron will consume a product or receive a service in the automobile.
- (31) DRIVE-THROUGH FACILITY. An accessory portion of a main building that provides a driveway and stacking spaces for vehicles to receive, but not consume a product or service.
- (32) DRY CLEANER OR LAUNDROMAT. Any attended or unattended place, building or portion thereof, available to the general public for the purpose of washing, drying, extracting moisture from, or dry cleaning wearing apparel, cloth, fabrics, and textiles of any kind by means of a mechanical appliance which is operated primarily by the customer.
- (33) DWELLING OR DWELLING UNIT. Any building, or portion thereof, which is designed or used as living quarters for one or more families, but not including house trailers, mobile homes or travel trailers. In quasi unit quarters such as nursing homes or extended care facilities, accommodations for every three persons shall be counted as a dwelling unit.

- (34) DWELLING, HIGH OCCUPANCY MULTIPLE-FAMILY. A dwelling designed for occupancy by multiple persons who live independently of each other, by having separate secured bedrooms and bathrooms, a common kitchen and living area, and are leased by the bedroom.
- (35) DWELLING, SINGLE-FAMILY ATTACHED. A dwelling having any portion of each of one or more walls in common with an adjoining dwelling, not including townhouses or rowhouses.
- (36) DWELLING, SINGLE-FAMILY DETACHED. A detached dwelling having open space on all sides designed to be occupied by one family.
- (37) DWELLING, TWO-FAMILY. A dwelling designed to be occupied by two families living independently of each other.
- (38) DWELLING, MULTIPLE-FAMILY. A dwelling designed for occupancy by three or more families living independently of each other, exclusive of auto or trailer courts or camps, hotels or resort type hotels.
- (39) DWELLING, TOWNHOUSE. Three or more dwelling units attached at the side or sides, each unit of which has a separate outdoor entrance and is designed to be occupied and may be owned by one family.
- (40) E.I.F.S. Exterior insulation finish system.
- (41) EROSION. The process by which the ground surface is worn away by the action of the wind, water, ice, gravity, or artificial means, and/or land disturbance activities.
- (42) EVERGREEN. A plant with foliage that persists and remains green year-around.
- (43) FAMILY. One or more persons related by blood or marriage, including adopted or foster children, or a group not to exceed five persons (excluding domestic servants or persons who provide personal or intermittent nursing services). Notwithstanding the foregoing provisions, no provisions of this Title or Code shall restrict the use of a family dwelling so as to interfere or violate the Fair Housing Act, the Oklahoma Fair Housing Law, or federal or state regulation which prohibits the discrimination based upon disability, age or infirmity.
- (44) FINISHED GRADE. The final grade or elevation of the ground surface conforming to an approved plan.
- (45) FLOOR AREA, GROSS. The sum of the gross horizontal areas of all of the floors of a building or buildings, measured from the exterior faces of exterior walls or from the

centerline of walls separating two buildings, and including but not limited to, the following spaces:

- (a) Basements;
 - (b) Elevator shafts and stairwells at each floor;
 - (c) Floor space for mechanical equipment with structural head room of seven feet;
 - (d) Penthouses;
 - (e) Attic space providing head room of seven feet or more;
 - (f) Interior balconies, mezzanines and enclosed covered porches and enclosed steps;
 - (g) Accessory uses in enclosed covered space, but not including space used for off-street parking.
- (46) FLOOR AREA, NET. The total floor area within a building devoted or intended to be devoted to a particular use, with structural headroom of seven feet or more, whether above or below the finished lot grade, excluding:
- (a) Elevators, stairwells, hallways, walls and partitions, and
 - (b) Floor space permanently devoted to a parking space or parking spaces, mechanical equipment, closets, washrooms, or other items permanently preventing the floor space from being occupied by persons while engaged in the use.
- (47) FORESTED AREA. The extent of a stand of trees of maturity, density, condition and vigor sufficient enough to maintain the ecosystem health.
- (48) FORESTER. A forester learns the art and practice of forestry through comprehensive scientific and technical coursework and practical field experience. A forester has a Bachelor's degree or higher from a SAF-accredited forestry program.
- (49) FUEL SALES. An establishment engaged in part or in whole in the sale of motor vehicle fuel.
- (50) GARAGE APARTMENT. A dwelling unit for one family erected connected to a private garage.
- (51) GARAGE, PRIVATE. An accessory building or a part of a main building used for storage purposes only for automobiles used solely by the occupants and their guests of the building to which it is accessory.

- (52) GARAGE REPAIR. A building in which are provided facilities for the care, servicing, repair, or equipping of automobiles.
- (53) GRADE, #1. Grade rankings are established by each nursery. Those that are #1 grade are the best formed, best structure, and best looking trees without any structural defects.
- (54) GRADING. Any act by which soil is cleared, stripped, moved, leveled, stockpiled, or any combination thereof, and includes the conditions that result from that act.
- (55) GROSS FLOOR AREA. See Floor Area, Gross.
- (56) HEIGHT, BUILDING. The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or the declivity of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.
- (57) HEIGHT, STRUCTURE. The vertical distance from the finished grade to the highest point of a structure.
- (58) HELP-YOURSELF LAUNDRY. See Drycleaner or laundromat.
- (59) HOME IMPROVEMENT CENTER. Any building or structure selling home improvement and building construction items including but not limited to paint, lumber, plumbing supplies, garden supplies, appliances and hardware and consisting of a minimum of 60,000 square feet of gross floor area, or any building or structure using outdoor storage or display of such materials or products.
- (60) HOME OCCUPATION. An accessory use of a dwelling that shall constitute all or some portion of the livelihood of a person or persons living in the dwelling. The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling or adversely affect the uses permitted in the district of which it is a part.
- (61) HOSPITAL. An institution providing health services, primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities and staff offices which are an integral part of the facilities.
- (62) HOTEL. A building or group of buildings under one ownership containing six or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who are lodged with or

without meals for compensation, but not including an auto or trailer court or camp, hospital, asylum, orphanage or building where persons are housed under restraint.

- (63) IMPERVIOUS COVERAGE. Surfaces that do not absorb water such as buildings, concrete or asphalt parking areas, roads, sidewalks or driveways.
- (64) ISA CERTIFIED ARBORIST. A certified arborist is a specialist in the art and science of planting, caring for, and maintaining individual trees. To become certified the arborist must have a minimum of three years' experience in arboriculture, pass a certification exam sponsored by the International Society of Arboriculture (ISA), and complete 30 hours of continuing education every three years.
- (65) JUNK OR SALVAGE. Any item discarded, worn out or having outlived its usefulness in its original form, commonly sold, salvaged, or converted into another product of the same or a different nature.
- (66) KENNEL. Any lot or premises on which there are five (5) or more dogs, excluding unweaned puppies.
- (67) LICENSED LAND SURVEYOR. An individual who is duly licensed by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors to practice surveying.
- (68) LOT. Any plot of land occupied or intended to be occupied by one building or a group of buildings, and accessory buildings and uses, including such open spaces as required by this Ordinance and other laws or ordinances, and having its principal frontage on a public right-of-way.
- (69) LOT AREA. The total horizontal area included within lot lines.
- (70) LOT, CORNER. A lot of which at least two adjacent sides abut for their full lengths on a public right-of-way, provided that the interior angle at the intersection of such two sides is less than 135 degrees.
- (71) LOT DEPTH. The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.
- (72) LOT, DOUBLE FRONTAGE. A lot having a frontage on two non-intersecting public right-of-way, as distinguished from a corner lot.

- (73) LOT, FRONTAGE. That dimension of a lot or portion of a lot abutting a public right-of-way, excluding the side dimension of a corner lot.
- (74) LOT, INTERIOR. A lot other than a corner lot.
- (75) LOT LINES. The lines bounding a lot as defined herein.
- (76) MAJOR STREET. A section line road, highway or arterial street.
- (77) MANUFACTURED HOME. A dwelling unit constructed in accordance with federal manufactured housing construction and safety standards (HUD code) in effect after June 15, 1976.
- (78) MEDIA. Anything printed or written, or any picture, drawing, photograph, motion picture, film, videotape or videotape production, or pictorial representation, or any electrical or electronic reproduction of anything that is or may be used as a means of communication. Media includes but shall not necessarily be limited to books, newspapers, magazines, movies, videos, sound recordings, cd-roms, other magnetic media, and undeveloped pictures.
- (79) MINOR STREET. Any street not defined as a major street.
- (80) MOBILE HOME. A portable or mobile, factory-built living unit used or designed for single-family occupancy on a permanent basis that was manufactured prior to enactment of the federal Manufactured Housing Construction and Safety Standards Act of 1976 (42 U.S.C. Sec. 5401).
- (81) MANUFACTURED HOME PARK. Land or property which is used or intended to be used or rented for occupancy by one or more manufactured homes.
- (82) NONCONFORMING SITUATION. A lawful condition of a structure or land which does not conform to the regulations of the district in which it is situated. This may include but is not limited to failure to conform to use, height, area, coverage or off-street parking requirements.
- (83) NONCONFORMING USE. A structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is situated.
- (84) NURSERY, PLANT. The use of land for the growing of trees, shrubs or ornamental plants which are to be transported to another location for replanting.
- (85) OPEN SPACE, RECREATIONAL. Any land, under single ownership, which is dedicated to open, outdoor recreational uses such as golf courses or ball fields, and which is

submitted for City development approval as a single plan and developed pursuant to one grading plan.

- (86) **ORDINARY MAINTENANCE AND REPAIR.** Shall mean any work for which a building permit or any other city permit or certificate is not required, and where the purpose of such work is stabilization, and further, where such work will not noticeably change the exterior appearance of the resource. Any work not satisfying all of the above requirements shall not be considered ordinary maintenance and repair. The following examples shall not be considered ordinary maintenance and repair: The application of paint to previously unpainted brick, or masonry, the construction or enlargement of a driveway or parking area, the replacement of exterior doors or windows, except for repair of broken glass or screens by use of like glass or screens, and further, there are other types of construction or other work that shall not be considered ordinary maintenance and repair.
- (87) **PARKING SPACE.** A permanently surfaced area, stripped per city standards, enclosed or unenclosed, sufficient in size to store one automobile together with a permanently surfaced driveway connecting the parking space with a public right-of-way and permitting ingress or egress of an automobile.
- (88) **PLANNED UNIT DEVELOPMENT.** A development planned in accordance with the provisions of Sections 22.3.4 and 22.4.33 of this Ordinance.
- (89) **PLANNING DIRECTOR.** The individual appointed by the City as the Planning Director.
- (90) **PLANT UNIT.** A measurement tool that translates the amount of required plant material into a quantifiable, but flexible unit.
- (91) **POWER-GENERATION TOWER OR STRUCTURE.** A power-generation tower or structure is anything constructed, erected or set up upon the ground or attached to something having a permanent location on the ground, the purpose of which is to generate and supply power, through the assistance of a renewable energy source, to be utilized by an existing principal residential or nonresidential use of the property on which it is situated. A power-generation structure shall be deemed to include all structural and mechanical components thereof. Nothing herein shall be construed or deemed to authorize the construction or use of any such tower or structure in the absence of compliance with any applicable ordinances, building or electrical codes, tariffs,

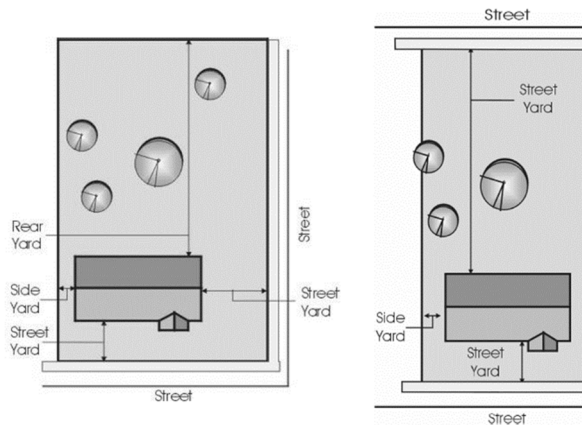
contracts, utility regulations or State or Federal requirements or statutes of any nature.

- (92) PROFESSIONAL ENGINEER. An engineer duly licensed by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors to practice engineering.
- (93) PROPERTY OWNERS' ASSOCIATION. An incorporated non-profit organization operating under recorded land agreements through which:
- (a) Each property owner in a shopping center-type development is automatically a member;
 - (b) Each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property; and
 - (c) The charge if unpaid becomes a lien against the property.
- (94) REMNANT CROSS TIMBERS FOREST. See Cross Timbers Forest, Remnant.
- (95) REST HOME. See Convalescent Home.
- (96) RESTAURANT, DRIVE-IN. A restaurant with a drive-in facility as defined above.
- (97) ROOMING OR BOARDING HOUSE. A dwelling other than a hotel, not including a bed and breakfast, where, for compensation and by prearrangement for definite periods, meals or lodging and meals are provided for three or more but not exceeding 12 persons.
- (98) SCREEN. A method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, fences, walls or any appropriate combination thereof.
- (99) SEDIMENT. Soils or other materials transported or deposited by the action of wind, water, ice, gravity, or artificial means.
- (100) SHRUB. A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.
- (101) SINGLE-FAMILY DWELLING. See dwelling, single-family.
- (102) SITE. Any lot or parcel of land or a series of lots or parcels of land adjoining or contiguous or joined together under one ownership on which land development activity is proposed.

- (103) SLOPE. The inclined surface of a fill, excavation, or natural terrain expressed as a ratio of horizontal distance to vertical distance over a measured inclined surface.
- (104) SOIL. The unconsolidated mineral and organic material (i.e., earth, sand, gravel, rock or other similar material) on the immediate surface of the earth that serves as a natural medium for the growth of land plants.
- (105) STABLE, PRIVATE. A stable with a capacity for not more than two horses or mules.
- (106) STABLE, PUBLIC. A stable, other than a private stable, with a capacity for more than two horses or mules.
- (107) STAND. A community of trees sufficiently uniform in species composition, age, arrangement, and condition to be distinguishable as a group from the forest or other growth on the adjoining area, and thus forming a silviculture or management entity.
- (108) STORM SHELTER or SAFE ROOM. Any structure, built above or below ground, with sole intent to protect life and limb from adverse weather conditions.
- (109) STORY. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.
- (110) STORY, HALF. A space under a sloping roof which has the line of intersections of roof decking and wall face not more than three feet above the top floor level, and in which space not more than two-thirds of the floor area is finished off for use. A half story containing independent apartment or living quarters shall be counted as a full story.
- (111) STREET. Any public right-of-way which affords the principal means of access to abutting property.
- (112) STREET, ARTERIAL. A street so defined by the Edmond Plan.
- (113) STREET, INTERSECTING. Any public right-of-way which joins another public right-of-way at an angle, whether or not it crosses the other.
- (114) STREET, LOCAL. A street so defined by the Edmond Plan.
- (115) STRUCTURE. Anything constructed or erected other than a building as defined above, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground.

- (116) TOPPING. A form of pruning that includes the severe cutting back of limbs between lateral branches to such a degree as to remove the normal canopy and disfigure the natural shape of the tree. Other terms to describe topping include de-horning, hat-racking, heading, lopping, pollarding, rejuvenating, rounding-over, tipping or stubbing.
- (117) TOWNHOUSE. See Dwelling, Townhouse, or Row House.
- (118) TRAILER COURT. See Mobile Home Park.
- (119) TRAILER, TRAVEL OR CAMPING. A portable or mobile living unit used for temporary human occupancy away from the place of residence of the occupants, and not constituting the principal place of residence of the occupants.
- (120) TRAVEL TRAILER PARK. Land or property which is used or intended to be used or rented for temporary occupancy by one or more travel trailers or movable sleeping quarters of any kind.
- (121) TREE. A large, woody plant having one (1) or several self-supporting stems or trunks and numerous branches. May be classified as deciduous or evergreen.
- (122) TREE PRESERVATION PLAN. A plan consisting of text, graphics, and tables that lists and details all of the trees that will be preserved during the development of a site and the techniques that will be used to keep the trees maintained after construction. A detailed listing of requirements for the tree preservation plan is included in the Edmond Tree and Landscape Guide.
- (123) TREE PROTECTION ZONE. The area around an existing tree that is protected and left undisturbed until construction is completed. The minimum distance required for tree protection zones is the width of the canopy plus an additional distance required to preserve a critical root area.
- (124) TREE, EXISTING. A tree that exists on the property prior to development that will be preserved, and whose root system will not be disturbed in any way within the area covered by the tree's canopy.
- (125) TRUCK STOP. An establishment engaged primarily in the fueling, servicing, repair, or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A truck stop may also include overnight accommodations, showers, or restaurant facilities primarily for the use of truck crews.
- (126) TWO-FAMILY DWELLING. See dwelling, two-family.

- (127) VEGETATIVE COVER. Any grass, shrubs, trees and other vegetation that protects and stabilizes soils.
- (128) WRECKER SERVICE OR SALVAGE YARD. An area outside of a building consisting of more than three acres where motor vehicles are disassembled, junked, wrecked or where motor vehicles not in operable condition are stored, which may include permanent machinery located on the property for wrecking vehicles.
- (129) YARD. An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward except where otherwise specifically provided in this Ordinance that an accessory building may be located in a portion of a yard required for a main building. In measuring a yard for the purpose of determining the width of the side yard, the depth of a street yard or the depth of a rear yard, the least horizontal distance between the lot line and the main building shall be used.



Yards

- (130) YARD, REAR. The area of a site extending across the rear of a lot measured between side lot lines and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projections other than steps, unenclosed balconies or unenclosed porches.
- (131) YARD, SENSITIVE BORDER. A rear or side yard on a nonresidential site that abuts a residential property.
- (132) YARD, SIDE. A yard between the building and the side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the side of the main building or any projections other than steps.

(133) YARD, STREET. The area of a site formed by a line parallel to a street line, extending across the dimension of a site that is adjacent to a public right-of-way.

SECTION 20. EFFECTIVE DATE. This ordinance shall become and be effective on January 1, 2018.

SECTION 21. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

SECTION 22. SEVERABILITY. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

PASSED AND APPROVED the 26th day of June, 2017.

MAYOR

Attest:

City Clerk

APPROVED as to form and legality this the 26th day of June,
2017.

CITY ATTORNEY