

NOTICE: Agenda posted in the lobby and on the front door of Bethany City Hall, 6700 NW 36th St., Bethany, OK 73008 on Fri., August 28, 2026, on or before 4:30 p.m.

The City of Bethany encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meetings are encouraged to make the necessary accommodations. The city may waive the 48-hour rule if signing is not the necessary accommodation.

THE PLANNING AND ZONING COMMISSION MEETING WILL BE HELD IN THE CITY COUNCIL CHAMBER AT BETHANY CITY HALL – 6700 NW 36TH ST., BETHANY, OK 73008

AGENDA
CITY OF BETHANY
PLANNING AND ZONING COMMISSION
September 3, 2026
6:30 P.M.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES OF August 20, 2026

EXPLANATION OF PROCEDURE TO AUDIENCE PLANNING AND ZONING COMMISSION BUSINESS

ITEM 1: PC 26-15

Discussion and possible action on PUD moratorium.

ITEM 2: PC 26-18

Discussion and possible action on Dumpster Sighting Ordinance

ITEM 3: PC 26-19

Discussion and possible action on Planned Industrial District (PID) Overlay.

NEW BUSINESS

ADJOURNMENT UNTIL September 17, 2026.

MINUTES
CITY OF BETHANY
PLANNING AND ZONING COMMISSION
AUGUST 20, 2026

MEMBERS PRESENT:

Justin Peck, Chair
James Clemmer, Vice-Chair
Robert Helton
Steve Marx
Ron Crouch
Arvel Williams

MEMBERS ABSENT:

Sam Thurman
Jennifer Edmonson

STAFF PRESENT:

Ray Jones, City Attorney
Brett Crecelius, Comm. Dev. Director
Raquelynne Diaz, Comm. Dev. Associate
Linda Hlinicky, Adm. Assistant

NOTICE: Agenda posted in the lobby and on the front door of Bethany City Hall, 6700 NW 36th St., Bethany, OK 73008 on Fri., August 14, 2026 on or before 4:30 p.m.

Justin Peck, Chair called the meeting to order and gave the invocation. Motion was made by Ron Crouch, seconded by James Clemmer to approve the August 6, 2026 Planning and Zoning Commission minutes as emailed. The votes are as follows: AYE- Justin Peck, James Clemmer, Robert Helton, Steve Marx, Ron Crouch, Arvel Williams. NAY- None. ABSTAIN- None. The motion carried unanimously 6 – 0.

ITEM 1: **PC 26-15**

Discussion and possible action on PUD moratorium.

ACTION: Discussion only. No action at this time.

ITEM 2: **PC 26-18**

Discussion and possible action on Dumpster Sighting Ordinance.

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ITEM 3: **PC 26-19**

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ACTION: Discussion only. No action at this time.

NEW BUSINESS

Ray Jones, City Attorney mentioned the owner of Western Oaks Apartments are going through the bankruptcy process and will probably be sold.

Brett Crecelius, Comm. Dev. Director thanked the Planning Commissioner's for working through these ordinance revisions.

Brett Crecelius, Comm. Dev. Director mentioned we have applied for two planning grants. One is for downtown and one for NW 23rd Street. So, those planning grants may be coming before the Planning Commission in the coming months. One of the grants is for the revitalization of the parking lot downtown that the city owns behind the downtown 6700 Block area. The other grant is for a revitalization corridor plan for NW 23rd Street.

Motion was made by James Clemmer, seconded by Robert Helton to adjourn the meeting. The votes are as follows: AYE- - Justin Peck, James Clemmer, Robert Helton, Steve Marx, Ron Crouch, Arvel Williams. NAY- None. ABSTAIN- None. The motion carried unanimously 6 – 0.

Section 158.024 – Planned Unit Development Overlays

(A) Purpose and Intent

The purpose of the Planned Development Overlay District regulations is to encourage high-quality development that provides flexibility in design while maintaining compatibility with surrounding properties and the intent of the underlying zoning district. The PUD is not to be utilized only for the purpose of obtaining a variance to the bulk standards or other City Code requirements.

These regulations are intended to:

1. Promote innovative site design and efficient land use patterns.
2. Encourage redevelopment and infill development.
3. Support mixed-use development where appropriate.
4. Encourage housing diversity and workforce housing opportunities.
5. Promote sustainability and environmental stewardship.
6. Preserve and enhance natural resources and open spaces.
7. Improve transportation connectivity and pedestrian accessibility.
8. Encourage investment that expands the City's tax base.
9. Provide flexibility from conventional zoning standards when a project provides measurable public benefits.
10. Encourage the provision of amenities beyond the minimum requirements of conventional development.

The Planned Development Overlay District shall function as an overlay zoning district. The underlying zoning classification shall remain in effect except where specifically modified through an approved Development Plan. No development plan shall be approved that does not meet the requirements, criteria, and necessary Community Benefit Points listed in this chapter.

(B) Types of Planned Development Overlay Districts

(1) Small Planned Unit Development (SPUD)

A SPUD may be established on properties consisting of less than five (5) acres. Limited to two zoning categories/uses. For purposes of this chapter, all residential uses and residential zones shall be considered as one use that must be paired with another commercial or industrial use.

The SPUD process is intended to provide a review process for smaller redevelopment, infill, mixed-use, commercial, residential, and adaptive reuse projects that provide community benefits and innovative design.

ii. In the instance where a proposed SPUD is surrounded on three (3) sides by residential district(s), that SPUD uses must include one residential use congruent with the surrounding residential district(s) and commercial uses allowed in Commercial-Restricted (C-R). Any commercial uses in this type of SPUD must have a finished floor square footage that is less than half of the residential finished floor square footage.

iii. Developments under 5 acres in construction must be completed in one phase of construction with a complete construction schedule included in the development narrative.

(2) Planned Unit Development (PUD)

A PUD may be established on properties consisting of five (5) acres or greater. The PUD process is intended for larger-scale developments requiring coordinated planning, infrastructure, multiple land uses, housing diversity, open space preservation, or significant public amenities. The proposed PUD, if containing residential uses, will have common open space developed as recreation and/or leisure-oriented improvements reference as referenced by the Community Benefits – Integrated Uses listed in this chapter. Multi-phase developments must provide clear construction schedules for all phases of the project and all construction phase completion standards in the development narrative for approval.

(C) General Standards

All PUD and SPUD developments shall comply with the following:

1. The underlying zoning district shall remain in effect.
2. The development shall not fundamentally alter the intent of the underlying zoning district.
3. All uses shall be specifically identified within the approved Development Plan.
4. Any use not specifically approved shall be prohibited.
5. Modifications to setbacks, lot dimensions, building height, parking requirements, or other development standards shall be limited to those necessary to accomplish the stated objectives of the development.
6. The development shall demonstrate compatibility with surrounding land uses.
7. The development shall provide measurable public benefits through compliance with the Community Benefit Point System.

(D) Required Development Narrative

All applications shall include a Development Narrative containing:

1. Project description and vision.
2. Existing zoning and land use conditions.
3. Proposed land uses.
4. Requested modifications to zoning standards.
5. Description of community benefits.
6. Explanation of how the project supports adopted plans and policies.
7. Description of sustainability and open space features.
8. Description of economic development benefits.
9. Description of public infrastructure improvements.

(E) Development Standards

The Development Plan shall include a comparison table identifying deviations from the underlying zoning district.

Example:

Standard	Underlying Zoning	Proposed Zoning
Setback	25 Feet	20 Feet
Maximum Height	35 Feet	40 feet
Parking Ratio	1 space per 250 sq ft	1 space per 300 sq ft

(F) Open Space Requirements

Any approved development plan must include a minimum of 10% of usable open space.

Examples of usable open space include, but are not limited to:

- Parks
- Plazas
- Trails
- Community gardens
- Natural preservation areas

Green space (with less than 10% slope)

- Stormwater amenities designed as public features

(G) Community Benefit Point System

The purpose of the Community Benefit Point System is to ensure that developments receiving flexibility from conventional zoning regulations provide measurable benefits to the community.

Minimum Required Points

SPUD Projects: 10 Points

PUD Projects: 20 Points

Categories & Community Benefit	Points
SUSTAINABILITY/RESILIENCE	
Solar-ready building design	2
High-efficiency building systems exceeding code requirements	2
High Efficiency HVAC system (>15.2 SEER rating) or energy efficient Heat Pump (>8.1 HSPF2)	2
Native or drought-resistant landscaping	2
Individual or public storm shelter(s)	3
Cool roof or reflective roof systems	1
TRANSPORTATION	
Sidewalks exceeding minimum 4 foot wide standard	2
Multi-use trail connection	4
Bicycle parking facilities	1
Electric vehicle charging stations	2
Internal pedestrian circulation network	3
Shared parking program	2
PUBLIC SERVICES	
Public plaza or gathering space	4
Public art installation	2
Streetscape improvements beyond code requirements	3
Enhanced stormwater green infrastructure installations, including practices commonly described as nature-based solutions, green stormwater infrastructure, and low-impact development	3
Underground utility installation	3
Public safety improvements incorporated into project (traffic calming, crosswalks, lighting, etc.)	2
HOUSING DIVERSITY	
Workforce housing units	5
Less Flammable material	3

Mixed-income housing component	5
Live-work units	3
Mixed-Use residential and commercial uses on site	5
NATURAL RESOURCES AND GREEN SPACE	
Open space exceeding minimum requirements	2
Significant tree preservation	3
Rain gardens and planter gardens designed to capture and manage stormwater using soils and vegetation.	3
Improving nearby parks	4
Stream or drainageway restoration	5
Two trees planted for every dwelling unit	1
COMMUNITY BENEFITS- INTERGRATED USES	
Pool	3
Dog Park	3
Basketball Court	4
Pickleball Court	4
Children's playground	4
Gym	3

(H) Application Requirements

SPUD Applications

The following materials shall be submitted:

1. Application form.
2. Permitted uses.
3. Development Narrative.
4. Site Plan.
5. Building Elevations or Conceptual Renderings.
6. Landscape Plan.
7. Community Benefit Point Table.
8. Utility and access information as required by the Community Development Director.

PUD Applications

The following materials shall be submitted:

1. Application form.
2. Development Narrative.
3. Permitted uses
4. Preliminary Development Plan.
5. Site Plan.
6. Open Space Plan.
7. Circulation Plan.
8. Utility Plan.
9. Landscape Plan.
10. Building Elevations or Conceptual Renderings.
11. Community Benefit Point Table.
12. Phasing Plan, if applicable.

All applicable information related to the proposed development shall be fully addressed in the application. Applications containing vague or unanswered responses shall be deemed incomplete and will not be reviewed

(I) Review Procedures

SPUD Review Process

1. Application Submission.
2. Staff Review.
3. Planning Commission Public Hearing and Recommendation.
4. City Council Public Hearing and Final Action.

PUD Review Process

1. Pre-Application Meeting.
2. Application Submission.
3. Preliminary Development Plan Review.
4. Planning Commission Public Hearing and Recommendation.
5. City Council Public Hearing and Approval.
6. Final Development Plan Approval.

(J) Approval Criteria

The Planning Commission and City Council shall consider whether the proposed development:

1. Is consistent with the Comprehensive Plan.
2. Is compatible with surrounding development.
3. Enhances community character.
4. Provides adequate public facilities and infrastructure.
5. Provides measurable public benefits as identified in the development narrative.
6. Preserves or enhances natural resources.
7. Supports economic development and expansion of the tax base.
8. Meets the requirements and criteria identified in this section.

(K) Expiration

Approval of a SPUD or PUD shall expire two (2) years following approval unless substantial construction has commenced. Substantial construction shall be defined by completion of at least twenty-five percent (25%) of the total construction development as measured by foundations constructed on site as per the approved development plan. Extensions of up to one (1) year may be recommended by the Planning & Zoning Commission and approved by the City Council upon demonstration of good cause.

(L) Amendments to Approved Planned Development Overlay Districts

(1) Purpose

The purpose of this section is to provide a clear and predictable process for modifying approved Planned Unit Development (PUD) and Small Planned Unit Development (SPUD) plans

while distinguishing between minor modifications that do not substantially alter the approved development and major modifications that require additional public review.

(2) Minor Modifications

Minor Modifications are changes that do not substantially alter the character, intensity, land use composition, community benefit commitments, circulation system, or overall development concept of the approved PUD or SPUD.

Minor Modifications may be approved administratively by the Community Development Director.

Examples of Minor Modifications include:

- (a) Relocation of buildings, structures, parking areas, or internal drives that does not substantially alter the approved site design.
- (b) Modifications to landscaping, screening, fencing, lighting, or streetscape elements.
- (c) Changes to building architecture, exterior materials, colors, or design features.
- (e) Changes to utility locations or infrastructure design.
- (f) Reconfiguration of parking layouts that does not reduce approved parking below required minimums.
- (g) Modifications to open space design that do not reduce the total approved open space area.
- (h) Changes necessary to comply with engineering requirements, utility provider requirements, state regulations, or federal regulations.
- (i) Any other modification determined by the Community Development Director to be substantially consistent with the approved Development Plan.

(3) Major Modifications

Major Modifications are changes that substantially alter the approved development concept, intensity, land use composition, public benefit commitments, or impacts of the development. Major Modifications shall require review and approval by the Planning Commission and City Council following the same procedures required for the original approval.

Major Modifications include:

- (a) Addition of a land use not specifically authorized in the approved Development Plan.
- (b) Elimination or substantial modification of an approved community benefit or incentive feature.
- (c) Increase in residential density exceeding ten percent (10%) above the approved density.
- (d) Increase in nonresidential floor area exceeding ten percent (10%) above the approved floor area.
- (e) Increase in building height exceeding ten percent (10%) above the approved maximum height.
- (f) Reduction of required open space.
- (g) Modification of approved access points to public streets that substantially alters traffic circulation.
- (h) Expansion of the boundaries of the approved PUD or SPUD.
- (i) Adjustment of lot lines, tracts, easements, or common areas

- (j) Adjustments to setbacks, lot dimensions, lot coverage, or parking ratios
- (k) Elimination of approved housing types or mixed-use components.
- (l) Any modification that significantly increases traffic generation, utility demand, stormwater impacts, or other public service impacts.
- (m) Any modification determined by the Community Development Director, Planning Commission, or City Council to substantially alter the character or intent of the approved Development Plan.

(4) Community Benefit Commitments

Community benefits and incentive points approved as part of a PUD or SPUD shall be considered vested conditions of approval.

Approved community benefits shall not be removed, reduced, or materially altered unless approved through a Major Modification process. Where a proposed amendment reduces or eliminates an approved community benefit, replacement benefits providing equivalent or greater point values may be approved by the City Council.

(6) Findings

Prior to approving any Major Modification, the Planning Commission and City Council shall find that the proposed amendment:

- (a) Remains consistent with the purpose and intent of the approved PUD or SPUD;
- (b) Continues to provide adequate public benefits proportional to the requested flexibility;
- (c) Remains compatible with surrounding land uses;
- (d) Does not create adverse impacts on public facilities or services; and
- (e) Continues to advance the goals of the Comprehensive Plan and this Chapter.

(M) Incentive-Based Flexibility

Development flexibility authorized through the Community Benefit Point System shall be directly tied to the approved point total achieved by the development.

No incentive shall be granted unless the corresponding community benefit points are provided and maintained.

The City Council may authorize one or more of the following development incentives based upon approved point totals:

Incentives available if additional points are calculated

SPUD: 20 Points

PUD: 35 Points

Eligible Incentives:

- (a) Building height increase of up to ten (10) feet.
- (b) Parking reduction of up to twenty percent (20%).
- (c) Lot coverage increase of up to (20%)
- (c) Density increase of up to twenty percent (20%).
- (d) Lot width reduction of up to twenty percent (20%).
- (e) Reduced setbacks or increased building densities, in exchange for additional tree preservation.

ORDINANCE NO. _____

AN ORDINANCE ADDING SECTION 51.13 TO THE BETHANY CODE OF ORDINANCES PROVIDING FOR THE REGULATION AND LOCATION OF GARBAGE DUMPSTERS FOR COMMERCIAL AND INDUSTRIAL DISTRICTS AND MULTI-FAMILY RESIDENTIAL USES.

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

SECTION 1. Chapter 5, Section 51.13 is added as follows:

§ 51.13 DUMPSTER CORRALS.

- (A) All garbage dumpsters shall be enclosed in a corral.
- (B) Dumpster corrals shall be located behind the front build line of the primary structure.
- (C) No dumpster corral shall be located within 30 feet of any dwelling structure.
 - a. No dumpster corral shall be located within any utility easement.
- (D) All dumpsters shall be fully screened from the view of the public right-of-way or any adjacent residential zone or residential use.
 - a. Screening shall be provided on three (3) sides by a single-material wall or fence constructed of masonry, concrete, or treated wood.
 - i. In commercial zoning fence materials can be chain length fence with privacy slats.
 - ii. Dumpster enclosures shall be designed and constructed with materials and finishes that are consistent with the primary building, creating a unified and aesthetically cohesive appearance throughout the development.
 - b. The fourth side shall be screened by a solid gate of equal height of the corral walls.
 - c. Screening shall provide at least one (1) foot of clearance on each side of the dumpster, measured between the dumpster and gate hinges, to allow garbage trucks to pick up empty, and replace the dumpster.
 - d. The minimum height of the corral and gate shall be six (6) feet or the height of the dumpster, whichever is greater.'
 - e. The installation of bollards on each side of the dumpster enclosure.
- (E) All gates to dumpster corrals shall remain operational.
- (F) All dumpster corrals shall be maintained in good repair and in a sanitary condition by the property owner, property management company, tenant, and or utility account holder.
 - a. Trash, litter and refuse shall not be permitted to accumulate around the exterior of the corral. All trash, litter and refuse shall be deposited within the dumpster.
- (G) This ordinance applies to:
 - a. All new construction or development of commercial and industrial districts and residential multifamily uses consisting of four units or more.
 - b. Any replacement or relocation of an existing dumpster or dumpster corral.
- (H) Existing nonconforming dumpsters shall be enclosed within a corral and brought into compliance within 24 months of the effective date of this ordinance.

- (I) A violation of any provision of this ordinance shall be unlawful and subject to the penalty provisions of Section 10.99 of the Bethany Code of Ordinances, as amended.
- (J) Administrative Permission
- a. When extraordinary conditions exist, including but not limited to topography, land ownership, adjacent development, historic district considerations, the Community Development Director or Public Works Director may modify these standards as deemed appropriate and in the public interest. These standards shall be reviewed on a case-by-case basis by the Public Works Director and shall not establish precedent.
 - b. Administrative permission shall not be granted for any new development.

SECTION 2. All ordinances in conflict herewith are hereby repealed.

SECTION 3. If any part, article, section, or subsection of this ordinance shall be held invalid or unconstitutional for any reason, such holding shall not be construed to impair or invalidate the remainder of said ordinance, notwithstanding such holding.

END

The foregoing ordinance was introduced before the Bethany City Council on the ____ day of _____, 2026, and was duly adopted and approved by the Mayor and City Council on the ____ day of _____, 2026, and after compliance with notice requirements of the Open Meeting Law (25 OSA, Sections 301, et seq.)

ATTEST:

MAYOR

CITY CLERK

Approved as to form and legality on _____, 2026.

CITY ATTORNEY

Dumpster Enclosure Requirements for Nearby Communities

Yukon

Dumpsters.

- A. No dumpsters may be located on any public right-of-way.
- B. All dumpsters must be fully enclosed on three sides by a solid fence or wall.
- C. Dumpsters shall be screened from view on all sides by a person standing at ground level with an enclosure or the wall of the building such enclosure is adjacent to the enclosure shall be of the same veneer as the principal building by a fence or wall not less than six feet in height, but tall enough to fully screen the type of refuse container(s) used, or by enclosure within a building.
- D. Landscaping shall be provided on three sides of the enclosure to provide additional site screening and shall be maintained, where applicable.
- E. Access to the enclosure shall utilize the appropriate turning radius to accommodate the refuse vehicle truck. All refuse containers, whether recyclable or disposable, shall be screened.
- F. The service route approach and exit shall have a clear path for use in servicing the enclosure by the collection vehicle. The route shall have a minimum horizontal dimension of 20 feet wide with 14 feet of overhead clearance.
- G. A separate exit that allows the truck to continue moving forward rather than having to back up is preferred. However, a paved hammerhead turn-around 15 feet wide and 50 feet long or a 75-foot diameter cul-de-sac may be used. Parking cannot be permitted in the cul-de-sac or turn-around area. Maximum back-up distance is 50 feet for any backing maneuver and shall be in a straight line.
- H. All streets, alleys, driveways, and all direct access shall provide for a minimum vehicle turning radius of 34 feet for the inside wheel and 50 feet for the outside wheel.
- I. Each container service area shall have a clear approach of 20 feet wide by 50 feet in length for the collection vehicle to line up with the container. Additionally, 25 feet of vertical clearance from overhead obstructions is required to lift and empty the container. This vertical zone runs from the back of the container toward the front of the truck for 20 feet past the front of the container.
 - a. concrete approach loading pad shall be constructed in front of each refuse enclosure at least 12 feet wide by 12 feet long, and a minimum of eight inches thickness of concrete at a standard of 3,500 PSI (pounds per square inch).
 - b. A concrete pad shall be a minimum of 12 feet wide by eight feet deep and a minimum of six inches thickness of concrete pad for the container(s) enclosure at a standard of 3,500 PSI.
 - c. An enclosure shall be a minimum inside dimension of 12 feet wide by eight feet deep of enclosure is required to accommodate largest size refuse container(s).

- d. An enclosure gate shall be a minimum inside dimension of 12 feet for the enclosure gate(s) opening is required.
 - e. Keeper latches are required to hold gate(s) in the fully opened position of 120-degree minimum while the refuse container(s) is being serviced.
 - f. Six-inch diameter by four feet high pipe bollards are required inside each enclosure to protect the gate(s) and the enclosure walls from damages by the refuse container(s) movement.
 - g. Minimum of 15 feet wide by 50 feet long of unobstructed approach path is required for the collection truck to access the container(s) enclosure.
 - h. Turn around area must be provided to allow the collection truck to exit without backing onto public thoroughfares or streets.
- J. Enclosure construction: The width of the enclosure will vary depending on the type, size, and number of containers. Gates shall be installed so that there is a minimum eight feet of depth created within each enclosure. A single container enclosure is the minimum size enclosure allowed and only when the establishment is generating four cubic yards or less of solid waste per week. All other enclosures shall allow sufficient space for at least one container for solid waste and a second container of at least equal size for storing and collecting separate cardboard. Multiple enclosures may also be required depending on the size of the development and type(s) of use. Enclosures that will be used by food establishments shall also provide for a four-foot area within the enclosure for a separate waste cooking oil container of sufficient size to collect waste cooking oil generated on site. This oil container shall be placed so that it will not interfere with the collectors' ability to service the enclosure either by blocking access or as a result of leaking oil that creates a hazard for drivers.
- K. Service approach: The area in front of all front loading, rear loading, roll-off, and compactor enclosures shall not be used for parking and shall be painted, striped, and marked "No Parking".
 - a. An area extending for 40 feet in front of the enclosure shall not have a slope greater than four percent.
- L. The service approach shall extend 12 feet beyond the enclosure floor and be the width of the enclosure opening and shall be constructed to withstand trucks weighing up to 62,000 GVW. Concrete surfacing shall be used.
 - a. The service approach surface shall be the same elevation as the enclosure floor threshold and the surrounding surfaces with a minimum slope of one-eighth inch (one percent grade) per foot away from the enclosure floor so as to direct runoff away from the enclosure.
 - b. Enclosure floor: The enclosure floor shall extend outward four inches beyond the enclosure walls on a 90-percent compacted base.
 - c. The enclosure floor shall be concrete constructed and sloped one percent to the front and cast in place to withstand 35,000 pounds of direct force, a minimum of six inches thick with #4 bars on 18-inch centers traveling both directions and being centered within the pavement thickness.

- d. .Steel pipes (bollards) six inches diameter and four feet high are required between the container and the enclosure's rear and side walls to prevent the container from damaging the enclosure while being serviced. Bollards shall be placed no closer than within six inches of the walls. Bollards shall not be placed outside of the enclosure where they will create interference with gate operations, parking spaces, or create traffic hazards.
 - e. The enclosure shall be large enough to provide a minimum of 24 inches on each side of the containers placed side by side and 36 inches from the front of the container to the gate.
- M. Gates: Double service gates are required on all enclosures. Gates shall be solid architectural metal panels painted to incorporate the overall design theme of the development. The solid waste and recycling area should not be visible through the gates.
 - a. The service gates shall have a minimum opening of 12 feet with the gates hung outside of this span. Gates shall have a maximum of three inches of clearance from the ground and shall be the same height as the walls.
 - b. Gates shall be free hanging with no center pole. The gates shall be designed to ensure access and removal of each container without having to move the container.
 - c. Gates shall be constructed using two-inch by two-inch by one-fourths-inch steel angle or tube for a frame. Diagonal bracing shall be used with continuous welded joints throughout.
 - d. Gates shall be hung on six-inch steel square or round jambs with a thickness of one-fourth-inch minimum. Jambs shall be concrete filled with two inches of clearance between the jamb and the end of the wall.
- N. Hinges and locks: Gate shall be secured to the steel jambs with a minimum of three metal hinges continuously welded to the gate and jamb or be able to rotate around the jamb.
 - a. Gates shall open 120 degrees and be constructed with a mechanism that will provide a means of securing the gate doors in both an opened and closed position. Solid rod cane bolts three-fourths inch in diameter with four-inch handles installed a minimum of 36 inches above ground level on the outside of the gates with one-inch inside diameter cane bolt receptacles placed three inches deep and flush with the concrete surface may be used when constructed.
 - b. Gates must be secured when closed but not locked. A latch shall be installed on the exterior of the gate and the latch rods shall be a minimum of 36 inches above ground level. Solid latch rods shall be a minimum of three-fourths inch in diameter. The receiver shall be three inches deep and one inch inside diameter.
- O. Storage inside enclosure—Maintenance: The enclosure space shall not be used for purposes other than for the storage and collection in containers of refuse, recyclable materials, and waste cooking oil.
 - a. Owner or tenant shall keep the enclosure clean with all solid waste and recyclables placed in the proper receptacle. No trash or recyclables may be stored on the enclosure floor on either a temporary or permanent basis. Storage of hazardous material is not allowed in the enclosure.

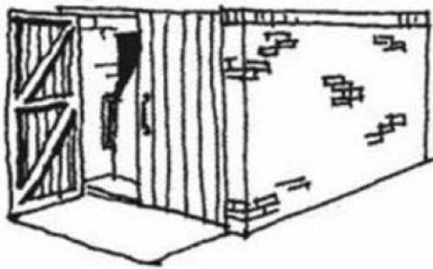
- b. All solid waste, recycling, and waste cooking oil containers are required to have lids that must be closed when not in use to contain litter and prevent odor, pests, and possible stormwater pollution.
- P. Modifications: Where, in the opinion of the public works director, there exist extraordinary conditions of topography, land ownership, adjacent development, historic district consideration, or other circumstances not provided for in these standards, the manager may modify these standards as deemed appropriate in the public interest. In modifying these standards or requirements of these provisions, the public works director may make such additional requirements as appears necessary, in their judgment, to secure substantially the objectives of the standards or requirements which are modified, providing the modifications do not conflict with any other ordinance or regulation. All items not specifically covered by these standards will be judged on a case-by-case basis by the public works director without setting precedent.

Edmond

Refuse Facilities. A concrete approach loading pad shall be constructed in front of all refuse enclosures. Such pad shall be at least 12 feet wide by 12 feet long, and a minimum of six inches thickness of concrete at a standard of 3500 PSI.

(a) All refuse facilities shall be enclosed and screened on all four sides so that they are not visible from adjacent public right-of-way.

(b) Required enclosures shall have a minimum inside dimension of 12 feet by 12 feet with an enclosure gate opening of not less than 12 feet in width. The height of any such enclosure shall be that necessary to prevent refuse material from protruding above the enclosure.



Refuse Facilities

(c) Waste container enclosures shall have steel framed gates with spring-loaded hinges and fasteners. Keeper latches shall be required to hold gates in the fully opened position while refuse containers are being serviced. Four-inch diameter pipe bollards shall be required inside each enclosure to protect the enclosure from truck operations.

(d) All required enclosures shall be at a minimum a combination of brick columns matching the building and sight-proof wood fencing.

(e) An unobstructed approach path of not less than 50 feet in length shall be required for a 35-foot long collection truck to access the refuse facility. A turn-around area shall be provided of sufficient length to allow the collection truck to exit without backing onto public right-of-way.

Midwest City

Trash Dumpster(s) and Enclosure.

(A) Dumpster Requirements.

- (1) All new commercial buildings shall be served by a minimum of one (1) eight-yard capacity dumpster provided by the City, unless other arrangements are approved by the City's Environmental Services Director in compliance with code.
- (2) All dumpsters shall be screened/enclosed on three (3) sides by a minimum of eight-foot tall masonry walls.
- (3) Such enclosures shall have inside dimensions of no less than twelve (12) feet in width and fourteen (14) feet in length.
- (4) Gates shall be incorporated into the design of the enclosure and shall provide a twelve-foot wide clear space when open.
- (5) A locking device shall be installed on the gates.
- (6) Keeper latches shall be installed to allow gates to remain open during the servicing of the refuse container.

(B) Dumpster Site Location.

- (1) At the time of preparing plans for new commercial buildings, land area on the site shall be designated as a location for the required dumpster(s) and enclosure, which shall be indicated on those plans.
 - a. Such location shall not occupy any designated parking space, dedicated right-of-way, easement and/or create any traffic sight hazard.
- (2) An unobstructed approach shall be provided to allow refuse collection trucks to maneuver on the property without the backing onto a public street.

Section 158.0__ – Planned Industrial Overlay District

(A) Purpose and Intent

The purpose of the Planned Industrial Overlay District (PID) regulations is to encourage high-quality light industrial and commercial uses along the North Rockwell corridor between NW 50th Street and NW 63rd Street. This overlay district is intended to provide design flexibility while maintaining restrictions and protections for surrounding neighborhoods. These regulations are intended to:

- a. Encourage light industrial and commercial redevelopment and infill development
- b. Provide regulations and protections for surrounding residential neighborhoods
- c. Encourage investment that expands the city's tax base
- d. Improve transportation and pedestrian connectivity
- e. Provide opportunities for private investment to create jobs within the city and support employment related to Wiley Post Airport.

The Planned Industrial Overlay District shall function as an overlay district. The underlying zoning classification shall remain in effect except where specifically modified through an approved Industrial Development Plan (IDP). No IDP shall be approved unless it meets the requirements and district specifications set forth in this chapter.

(B) Applicable Area

- a. The Planned Industrial Overlay District shall only be allowed within the city along North Rockwell Avenue between Northwest 50th Street and Northwest 63rd Street. Any PID in this area south of Northwest 53rd Street shall not extend east of North Dawson Drive. Any PID north of Northwest 53rd Street shall not extend east of North Mueller Avenue and shall have one contiguous lot spanning the width from North Rockwell Avenue to North Mueller Avenue. If one contiguous lot does not extend to North Mueller Avenue, a PID shall not exceed 650 feet in depth.
- b. Planned Industrial Districts shall have frontage that abuts North Rockwell Avenue.

(C) General Standards

All PID developments shall comply with the following:

- a. The underlying zoning district shall remain in effect.
- b. All uses shall be specifically identified within the application documents and shall adhere to the specific uses identified in this chapter.
- c. Setbacks, lot dimensions, building height, parking requirements, and other development standards shall adhere to the standards stated in this chapter.

(D) Development Standards

- a. Lot Dimensions and Setbacks
 - i. No PID shall have a frontage width of less than 100 feet.
 - ii. Front yard setbacks shall not be less than 20 feet.
 - iii. Interior lots that do not abut residential zones shall have no side yard setback.

- iv. Side yard setbacks that abut residential zones shall be not less than 20 feet.
 - v. Rear yard setbacks that do not abut residential zones shall not be less than 10 feet.
 - vi. Rear yard setbacks that abut residential zones shall not be less than 20 feet, with an additional 5 feet required for any building over 20 feet in height.
 - vii. No building shall exceed 35 feet in height.
- b. Parking Minimums
 - i. Parking and loading requirements for Planned Industrial Overlays shall adhere to those set forth in Chapter 158.035.
 - c. Landscaping
 - i. Landscaping requirements for Planned Industrial Overlays shall adhere to Chapter 155.10.
 - ii. A minimum of two trees shall be planted along the sidewalk to provide shade covering. Trees must be approved trees included in Chapter 155.10.
 - d. Screening
 - i. PIDs that abut a residential district along any side yard or rear yard lot line shall provide an 8-foot-tall fence with 100% opacity along any lot line that abuts a residential district.
 - e. Lighting
 - i. PIDs that abut a residential neighborhood on any side or rear yard property line shall direct any parking or security lighting away from the residential district. If security or safety lighting is required on the side of a building that faces a residential district, such lighting shall be shielded so that the bulb or lens does not emit light above a 90-degree horizontal plane.
 - ii. Parking lot lighting shall be restricted to warm light rated at 4000K or lower.
 - iii. Non-essential security and parking lot lighting shall be dimmed to a maximum of 50% output between the hours of 10:00 p.m. and 6:00 a.m.
 - f. Connectivity
 - i. The developer is responsible for installing a minimum 5-foot-wide sidewalk along the Rockwell frontage if no sidewalk currently exists. If a sidewalk exists along one or both sides of the frontage, the developer shall meet the current standards for the existing sidewalk and extend the sidewalk across the frontage, maintaining the existing width throughout.

(E) Permitted Uses

- a. See Appendix A – Permitted Use Table.

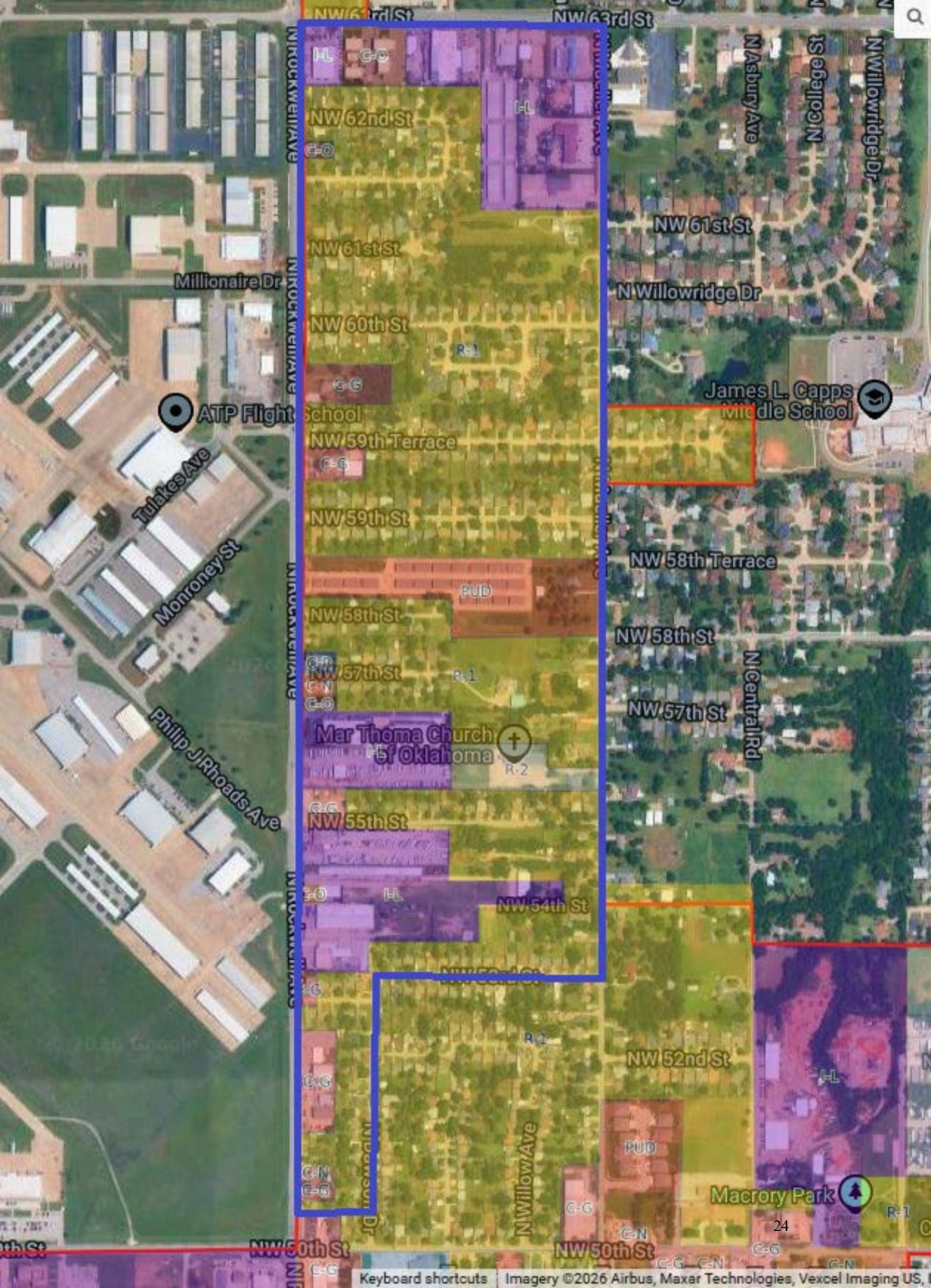
APPENDIX A: PERMITTED USE TABLE (PID Draft)

Accessory Building (over 240 sq.)	
Adult Business	
Adult day care center	
Agriculture	
Airport or landing field	
Alcoholic beverage establishments	X
Amusement, commercial indoor	X
Amusement, commercial outdoor	X
Art gallery	x
Auto storage or auto auction	
Automobile repair garage	X
Bed and Breakfast Inn	
Brewery (Craft brew)	X
Brewery (large scale)	X
Building and landscaping material sales yard	X
Bus station or terminal	
Caretaker or employee housing	
Catering establishment	X
Charitable or Philanthropic Institutions	
Church	
College or university	
Community center	
Country club, private	
Crematory	
Day camp for children	
Day-care center	
Dispensary store	
Dormitory	
Dwelling, multi-family	
Dwelling, single-family residential	
Dwelling, two-family	
Equestrian Educational Facility	
Equipment storage/rental yard	X
Family day-care homes	

Financial Institutions	
Fraternity or sorority lodge or assembly hall	
Freighting yard/terminal	
Funeral Home and Mortuary	
Gasoline service stations	X
Golf course, commercial	
Greenhouse and plant nursery	X
Grocery store or supermarket	
Group House	
Halfway House	
Hazardous Waste Collection, Processing, or Disposal	
Home occupations	
Hospital	
Hotel or motel	
Inmate pre-release center	
Inmate transitional living centers	
Inmate Work Center	
Impatient Treatment	
Itinerant vendor	
Jail and Correctional Facility	
Kennel	X
Laboratory, scientific or research	X
Library	
Manufacturing, heavy	
Manufacturing, light	X
Massage Clinic	
Media broadcast	X
Medical or dental facility	
Mobile and Manufactured Home	
Mobile and Manufactured Home Park	
Museum	
Night club/dance hall	
Nursing care facility, convalescent, or rest home	
Open display, commercial	X
Pest Control Services	X

Petroleum products, Oil field equipment, storage yard and wholesale	X
Pharmacy	
Professional offices	
Public park and playground	
Public Safety Facilities	
Public Utility Station	X
Publisher	
Recreational vehicle or vehicle storage	X
Recreational Vehicle Park	
Recycling Collection Facility	X
Restaurant Eating Establishment (Not drive-in type)	x
Restaurant or Eating Establishment (Drive- in)	X
Retail, general	X
Retail, specialty	
Sale barn	
Salvage yards	
School, Business	
School, Commercial Trade	X
School, Private, Elementary, or Secondary	
School, Public or Denominational	
Self-service laundry or dry-cleaning establishment	
Shelter	
Shooting range, indoor	X
Swap meet, flea market, and other similar uses	
Swim or tennis club	
Swimming pool, commercial	
Tattoo and/or Body Piercing Shop	X
Telecommunication Facilities	X
Temporary Employment Services, Day Labor Business	
Theater, drive-in	
Transitional Living Facility	
Treatment Facility	
Unlighted private tennis courts	
Vehicle Storage	X
Veterinary hospital	

Warehouse	X
Warehouse, mini	X
Wastewater treatment plant	
Wholesale or warehouse enterprise	X
Zoo	



ATP Flight School

James L. Capps Middle School

Mar Thoma Church of Oklahoma

Macrory Park

§ 155.10 LANDSCAPING REQUIREMENTS.

(A) *Purpose.*

(1) All new non-residential development and redevelopment areas, shall be landscaped to provide visual buffering, enhance the beautification of the city, safeguard and enhance property values, protect public and private investment, and to protect the public health, safety and general welfare of the citizens of the city. The landscaped area will help reduce soil erosion, and the volume and rate of discharge of stormwater runoff.

(2) All new residential development/ redevelopment of six or more dwelling units and/or three or more acres shall comply with the provisions of this section for landscaping requirements.

(B) *Definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

LANDSCAPED AREA. The area within the boundaries of a given lot which is devoted to and consists of plant material, including but not limited to grass, trees, shrubs, flowers, vines and other ground covers, planters, brick, stone, natural forms, water forms, or aggregate or other inorganic features, but not including the use of smooth concrete or asphalt; provided, however, that the use of the brick, stone, aggregate or other inorganic materials shall not predominate over the use of organic plant material.

REDEVELOPMENT. Remodeling, renovation and/ or expansion of improvements on an existing developed property where the usable square footage of the remodeling, renovation and or expansion is increased by 50%, or the costs of the project exceeds 50% of the preredevlopment valuation, or where the project is required to file a site plan under Chapter 155.

VALUATION OF IMPROVEMENTS PRIOR TO REDEVELOPMENT. A determination of the fair market value of the property from the most reliable information available which includes County Assessor valuation, recent appraisals, recent sales price and such further information as may be determined by the Community Development Director.

(C) *Requirements for development and redevelopment.*

(1) *Development.* New construction of buildings classified with respect to use or occupancy as business, mercantile, assembly, educational, or institutional as provided by the International Building Code shall be landscaped with living plants, trees, bushes, grass or similar vegetation. Nonresidential uses that are either permitted by right or under an enabling permit shall be landscaped.

(2) *Redevelopment.* Redevelopment of buildings classified with respect to use or occupancy as business, mercantile, assembly, educational, or institutional as provided by the International Building Code shall be landscaped with living plants, trees, bushes, grass or similar vegetation. Nonresidential uses that are either permitted by right or under an enabling permit shall be landscaped.

(D) *Required area.* The public right-of-way between the property line and the curb and not less than 5% of the total land area of the lot shall be landscaped. To the extent practical, at least 75% of the landscaped lot area shall be in the front or side yards and visible from public or private streets providing access to the property. Inner courts that are not visible from the public street shall not be calculated for purposes of meeting this requirement. Exception: When the minimum landscape area requirements cannot be met, the required landscaped area may be reduced, upon approval by the City Council.

(E) *Landscaped materials and plan.* An application for a building permit and/or special use permit for nonresidential land usages shall be accompanied by a detailed landscaping plan for both the required lot area and the area within the public street right-of-way between the property line and the curb. A landscape plan shall be required as a part of the site plan review process. The plan shall conform to the following requirements:

(1) The quantity, location and types of all plants:

(a) The maximum height for mature trees shall not exceed 25 feet;

(b) *Street yard.* One tree shall be planted and maintained or preserved for each 1,500 square feet of street yard or fraction thereof;

(c) *Surface parking areas located outside the street yard.* One tree shall be planted and maintained or preserved for each 12 parking spaces; and at least one tree shall be planted and maintained or preserved in each required landscaped area;

(d) Rock gardens or sculpture may be approved; however, the use of gravel or chat as ground cover shall not be considered as meeting the landscape requirements;

(e) The landscape plan shall respect sight triangles at intersections and all other elements relating to traffic control;

(f) Trees and shrubs located in and over utility easements shall be limited to those trees and shrubs which in their mature state will not interfere with overhead and underground utilities; and

(g) The plan shall be reviewed and approved as part of the building permit and special use permit review process.

(2) (a) *Tree requirements.*

(b) *Selection of tree species.* The following list constitutes the species of trees that may be planted under the terms of this chapter. No species other than those included in this list may be planted without the express written permission of the City Arborist.

1. *Small trees:*

- A. Flowering Crabapple; *Malus* spp;
- B. Redbud; *Cercis canadensis*, *Cercis chinensis*;
- C. Purple Leaf Plum; *Prunus cerasifera*;
- D. Hawthorn; *Crateagus* spp;
- E. Flowering Dogwood; *Corpus florida*, *Corpus kousa*;
- F. Buckeye; *Aesculus arguta*, *Aesculus glabra*;
- G. Crapemyrtle; *Lagerstroemia indica*;
- H. Euonymus (deciduous); *Euonymus atropurpureus*;
- I. Holly:
 - (i) American; *Ilex opaca*;
 - (ii) Deciduous; *Ilex deciduas*; and
 - (iii) Yaupon; *Ilex vomitoria*;
- J. Amur Maple; *Acer ginnala*;
- K. Russian Olive; *Elaeagnus angustifolia* L;
- L. Autumn Olive; *Elaeagnus umbellata* Thunberg; and
- M. Smoketree; *Cotinus coggygia*

2. *Medium trees:*

- A. Honeylocust (thornless); *Gleditsia triacanthos*;
- B. Pin Oak; *Quercus palustris*;
- C. River Birch; *Betula nigra*;
- D. Kentucky Coffeetree; *Gymnocladus dioica*;
- E. Red Mulberry (male); *Morus rubra*;
- F. Golden Raintree; *Koelreuteria bipinnata*, *Koelreuteria paniculate*;
- G. Osage Orange (male, thornless); *Maclura pompifera*;
- H. Bald Cypress; *Taxodium distichum*;
- I. Japanese Pagoda Tree; *Sophora japonica*;
- J. Chinese Pistachio; *Pistacia chinensis*;
- K. Ornamental Pear; *Pyrus calleryana*; and
- L. Red Maple; *Acer rubrum*.

3. *Large trees:*

- A. Burr Oak; *Quercus macrocarpa*;
- B. Hackberry; *Celtis occidentalis*;
- C. London Planetree; *Platanus X acerifolia*;
- D. American Sycamore; *Platanus occidentalis*;
- E. Pecan; *Carya illinoensis*;
- F. Red Oak; *Quercus rubra*;
- G. Black Walnut; *Juglans nigra*;
- H. Green Ash; *Fraxinus pennsylvanica*;
- I. Cottonwood (male); *Populus deltoids*;

J. Chinese Lacebark Elm; *Ulmus parvifolia*;

K. Ginkgo; *Ginkgo bilboa*;

L. Fruit trees (fruitless); *Malus* spp;

M. Oaks:

(i) Chesnut; *Quercus prinus*, *Quercus muehlenbergi*;

(ii) Sawtooth; *Quercus acutissima*;

(iii) Shumard; *Quercus shumardi*;

(iv) Water; *Quercus nigra*;

(v) Willow; *Quercus phellos*; and

(vi) Red; *Quercus rubra*, *Quercus falcata*;

N. American Linden; *Tilia americana*;

O. Pine:

(i) Austrian; *Pinus nigra*;

(ii) Loblolly; *Pinus taeda*;

(iii) Ponderosa; *Pinus ponderosa*;

(iv) Slash; *Pinus ellioti*;

(v) Scotch; *Pinus sylvestris*;

(vi) White; *Pinus strobus*; and

(vii) Virginia; *Pinus virginiana*;

P. Cedar:

(i) Atlas; *Cedrus atlantica*; and

(ii) Deodar; *Cedrus deodara*

(3) The following list of trees shall not be planted:

(a) Aspen; *Populus* spp;

(b) Black Locust; *Robinia pseudoacacia*;

(c) Box Elder; *Acer negundo*;

(d) Catalpa; *Catalpa speciosa*, *Catalpa bignonioides*;

(e) Chinese Elm (except lacebark); *Ulmus parvifolia*;

(f) Cottonwood (female); *Populus deltoids*;

(g) Fruit trees (except fruitless); *Malus* spp;

(h) Osage Orange (female); *Maclura pomifera*;

(i) Poplar; *Populus alba*, *Populus nigra*;

(j) Silver Maple; *Acer saccharinum*;

(k) Tree of Heaven (*Ailanthus*); *Ailanthus altissima*;

(l) Willow; *Salix* spp;

(m) Eastern Red Cedar; *Juniperus virginiana*.

(4) A certificate of occupancy for a structure shall not be issued until the landscaping has been installed in accordance with the plan; provided, however, that if a structure and all its site improvements are complete except for the landscaping requirements and the season of the year will not permit planting, temporary occupancy may be permitted until a date certain in the growing season. In this case an inspection date in growing season shall be set by the building inspector to determine if the landscaping has been installed;

(5) All landscaping shall be maintained in a live and healthy condition;

(6) Failure to install or maintain landscaping as required and approved shall constitute a violation of this section; and

(7) A landscape plan shall be required as a part of the site plan submitted for all building permits and special use permit

applications. This plan shall show detailed landscape treatment of the area. This landscaping plan must include building footprint, parking, easements, types of plants, typical species of plant, size, location of plants and details of irrigation system, water lines and other utilities, driveways, easements or utilities, irrigation systems or other items as required by the community development director or building inspector.

(F) *Landscape plan content.* All landscape plans shall include the following information:

- (1) North arrow and scale;
- (2) The location of existing property lines and dimensions of the tract, accurately drawn to scale;
- (3) Exact locations and outline of all rights-of-way;
- (4) The location and size of all existing and proposed buildings, and parking areas, including the exact number of parking spaces provided;
- (5) The location and size of any permanent fixture or structure including, but not limited to, sidewalks, walls, fences, trash enclosures, project storage, lighting fixtures, signs and benches, which are relevant to the landscape plan;
- (6) The location, size, and type of all above- ground and underground public utilities with notation, where appropriate, as to any safety hazards to avoid during installation. Alternatively, a letter of no objection provided by the utility company may be provided;
- (7) The location, size, type, species, spacing (on center), and quantity of all proposed plant materials and existing plant materials credited for points shall be graphically represented and referenced on the plan by a common name and/or scientific name, or an appropriate key of all plant species;
- (8) Indicate the method of irrigation on plans and define the area of coverage. If an automatic irrigation system is not proposed, the location of all required hose connections and other watering sources shall be noted; and
- (9) All screening required by this code.

(G) *Maintenance and enforcement.*

(1) When it is determined by the director, or person officially designated, that improvements required by this division are not being maintained, it shall be his/her duty to give notice in writing to the property owner. Such notice shall specify in what manner the improvements are in need of maintenance and a date for compliance. The property owner shall not have less than 30 days to comply with the notice; provided, however, that any person aggrieved by any such order or disagreeing with any of the requirements of the notice may file an appeal within the 30-day period to the Board of Adjustment.

(2) Failure to provide the improvements required by this division or failure to maintain required improvements in the manner prescribed by this section shall constitute an offense and violation of this chapter. Each day such violation occurs shall be a separate offense.

(H) Where it is alleged there is error in any order, requirement, decision or determination made by the administrative official in the enforcement of this section pertaining to landscape requirements, the developer or land owner shall have the right to appeal to the Board of Adjustment for relief.

(Ord. 1912, passed 2-16-16; Am. Ord. 1914, passed 5- 3-16; Am. Ord. 1941, passed 9-5-17; Am. Ord 1974, passed 8-6-19)

§ 158.035 OFF-STREET PARKING.

(A) *Purpose.*

(1) The regulations of this section are intended to ensure provision of off-street motor vehicle parking, bicycle parking, and other transportation access facilities in rough proportion to the generalized parking and transportation demands of different land uses. By requiring such facilities, it is the intent of this section to help avoid the negative impacts associated with spillover parking into adjacent neighborhoods, while at the same time avoiding the negative environmental and urban design impacts that can result from parking lots and other vehicular use area.

(2) The provisions of this section are also intended to help protect the public health, safety and general welfare by:

- (a) Helping avoid and mitigate traffic congestion;
- (b) Encouraging multi-modal transportation options and enhanced pedestrian safety;
- (c) Providing methods to reduce the amount of impervious surface in parking areas and adequate drainage structures to order to reduce the environmental impacts of stormwater runoff;
- (d) Encouraging paving or alternate means of surfacing of parking areas in order to address dust abatement and improve air quality; and
- (e) Providing flexible methods of responding to the transportation and access demands of various land uses in different areas of the city.

(B) *Applicability.*

(1) *General.* Unless otherwise expressly stated, the parking regulations of this section apply to all districts and all uses within zoned and unzoned areas.

(2) *New development.* Unless otherwise expressly stated, the parking standards of this section apply to all new buildings constructed and all new uses established in all zoning districts.

(3) *Enlargements and expansions.*

(a) Unless otherwise expressly stated, the parking standards of this section apply whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, employees or other units of measurement used for establishing off-street parking requirements.

(b) In the case of enlargements or expansions triggering requirements for additional parking, additional off-street parking spaces are required only to serve the enlarged or expanded area, not the entire building or use. In other words, there is no requirement to address lawfully existing parking deficits.

(c) Additional off-street parking spaces are required only when existing development is enlarged or expanded in any way that results in more than a 10% increase in the total number of off-street parking spaces required for the development based on the standards of this zoning ordinance.

(d) *Commentary:* An enlargement or expansion may trigger the need to provide or increase accessible (ADA-compliant) parking, as determined by the city.

(4) *Change of use.*

(a) Unless otherwise expressly stated, when the use of property changes, additional off-street vehicle and bicycle parking spaces must be provided to serve the new use only when the number of parking spaces required for the new use exceeds by more than ten percent the number of spaces required for the lawful use that most recently occupied the building based on the standards of this zoning ordinance. In other words, 110% "credit" is given to the most recent lawful use of the property for the number of parking spaces that would be required under this zoning ordinance regardless of whether such spaces are provided. Any new parking spaces required must comply with all applicable parking area design and layout standards.

(b) When the number of parking spaces required for the new use exceeds the number of spaces required for the use that most recently occupied the property by more than ten percent, additional parking spaces are required only to make up the difference between the amount of parking required for the previous use and the amount of parking required for the new use, based on the standards of this chapter.

(c) A change of use may trigger the need to provide or increase accessible ADA-compliant parking, as determined by the city.

(C) *Exemptions, reductions.*

(1) *Landmarks and historic districts.* The zoning officer, in consultation with the historic preservation officer, is authorized to approve exceptions and waivers to minimum off-street parking ratios for the following:

- (a) Rehabilitation or reuse of buildings on the National Register of Historic Places;
- (b) Buildings designated as local cultural resources;

(c) Contributing buildings in National Register Historic Districts; or

(d) Buildings in locally designated historic districts.

(2) *Combination of reductions.* Vehicle parking reductions in this section may be combined.

(D) *Compliance required.* Existing parking facilities may not be altered to violate the requirements of this section.

(E) *Minimum requirements.* Except as otherwise expressly stated, off-street motor vehicle parking spaces must be provided in accordance with the off-street parking schedule of Table 20.60-1.

(F) Off-street parking schedule.

(G) *Table 20.60-1 Off-Street Parking Schedule.*

(1) In all districts in connection with every use, at the time any building or structure is erected or enlarged, off-street parking spaces shall be provided in accordance with the following requirements:

Use	Number of Required Spaces
Use	Number of Required Spaces
Residential and Lodging Uses	
Detached house	2 per dwelling unit, both fully enclosed
Duplex	2 per unit
Multiple-family	2 per unit
Boarding/rooming house, motel, hotel	1 per guest room plus 1 per employee on maximum shift
Dormitories, fraternities, sororities and other unmarried student housing	2 per 3 occupants based on maximum design plus any additional parking required to meet public assembly requirements
Business and Commercial Uses	
Cafeteria, restaurant (not drive-in), bar, lounge, tavern, private club	8 seats per 1,000 SF net floor area
Drive-in restaurant	1 per 50 s.f. net floor area plus
Office not otherwise classified	4 per 1000 s.f. net floor area
Commercial/service not otherwise classified	6 per 1000 s.f. net floor area
Service station, car wash, and similar operations	Adequate off-street space for vehicle being washed, fueled or serviced plus Maximum of 5 off-street spaces per establishment or minimum of 3 off-street spaces for each wash pack, wash space, or work stall in station plan, whichever is greater.
Day care centers or nurseries	1 per 2 employees
Business and Commercial Uses	
Adult day care centers	1 per 2 employees plus 5 public spaces.
Off-street parking requirements for temporary employment services/day labor businesses	Applicants for a temporary employment service or day labor business shall submit an application and the required fee to the Planning Commission for a conditional use permit (CUP) to determine parking requirements. Notice of such application shall be given to the public by posting a conspicuous sign on the subject property at least seven days prior to the Planning Commission meeting. The recommendation of the Planning Commission shall be forwarded to the City Council for final approval. The Planning Commission and City Council shall make a determination of the parking demand created by the proposed use and the amount of parking spaces thus determined shall become the off-street parking requirement for the permitted use. For existing structures and shopping centers the amount of available parking and the creation of potential traffic and parking hazards shall be considered.
Industrial and Warehouse Uses	

Industrial, Warehouse	Adequate area for all employee and customer vehicles at all times, plus Adequate area for loading, unloading and for all vehicles used incidental to or part of primary operation
Schools, Institutions and Places of Assembly	
Schools	10 per classroom (college) 0 per class room (technical college/trade school) 8 per class room (high school) 4 per class room (elementary and middle school)
Hospital	1 per 4 beds exclusive of bassinets, plus 1 per each visiting doctor/staff, plus 1 per 2 employees plus, adequate area for emergency vehicles.
Medical/dental clinic or office	6 per doctor plus 1 per 2 employees
Convalescent/nursing home	1 per 3 beds, plus 1 per 4 beds exclusive of bassinets, plus 1 per each visiting doctor/staff, plus 1 per 2 employees
Community center, theater, auditorium, church sanctuary	1 per 3 beds, plus 1 per 4 beds exclusive of bassinets, plus 1 per each visiting doctor/staff, plus 1 per 2 employees
Community center, theater, auditorium, church sanctuary	1 per 4 seats based on maximum seating capacity
Place of amusement or recreation, convention hall, lodge, club, library or museum	1 per 50 s.f. of floor space used for assembly or recreation in building
All Uses Not Listed	
For all uses not covered in this section, the Planning Commission shall make a determination of the parking demand to be created by the proposed use and the amount of parking this determined shall be the off-street parking requirement for the permitted use.	
Accessible Parking for People with Disabilities	
Accessible parking spaces for people with disabilities shall be provided in accordance with applicable building codes and city engineering standards and specifications. The spaces may be counted toward satisfaction of the required spaces specified in this section.	

(2) Parking spaces for the handicapped shall be provided in accordance with applicable building codes, along with all state and federal requirements. The spaces may be counted toward satisfaction of the required parking spaces. In all districts, off-street parking areas shall be located as follows:

(a) In residential districts, no parking space, other than the driveway, shall be located in the front, side or rear setbacks. Off-street parking may be permitted in side or rear setbacks which do not abut residentially-zoned or residentially-developed property.

(b) A sight triangle shall be maintained on a commercial lot at the point where the lot abuts a residential district whenever parking spaces are to be placed within front or side setbacks located along a street other than a major thoroughfare.

(c) The off- street parking area shall be located entirely within 200 feet, exclusive of streets and any alley widths, of the principal use and shall have direct access to a street or alley. In addition, the

off-street parking area must be located on a property having the same or a less restrictive zoning classification and be under the same ownership.

(d) Required off-street parking spaces shall not thereafter be reduced or encroached upon in any manner.

(e) All driveway cuts into public streets shall conform to the standards approved by the City Council and on file with the City Engineer.

(3) *Plan and information required:*

(a) The applicant for a building permit of new construction, expansion, change in use resulting in an increase in this parking requirement or new striping arrangement of an existing parking area shall submit a site plan showing the number, location, size and type of parking spaces and circulation pattern.

(b) The applicant shall submit information regarding the projected number of employees, seating capacities, gross floor area, gross leasable area, number of dwelling units and any of the appropriate data necessary to verify compliance

with these regulations.

(4) *Plans for parking area resurfacing.* Site plans for surfacing of all off-street parking areas, aisles and access driveways, will be required, including drainage plans, and will be reviewed and approved by city staff for compliance with city specifications.

(5) The following provisions shall apply to the development and maintenance of multiple-family, commercial, industrial and institutional parking areas:

(a) No building permit shall be approved until a plan has been reviewed and approved by the Community Development Director.

(b) It shall be the responsibility of the property owner to certify at the time he applies for a building permit that his plan will provide sufficient parking spaces and facilities to accommodate his use.

(c) The land upon which the off-street parking lot is located shall be owned or controlled by the same entity, which owns or controls the land on which the principal use is located.

(d) At least 5% of the total lot area, exclusive of the area of the adjacent rights-of-ways, of any off-street parking lot shall be landscaped with grass, shrubs, and ground cover. Including landscaped dividing spaces.

(e) All off-street parking areas shall be effectively screened on each side that abuts an R-1 or R-2 zoning district or an existing single-family or two-family use with a continuous, view-reducing fence.

(f) The parking spaces in all off-street parking areas shall be clearly marked with paint or plastic striping which provides permanent delineation between spaces.

(g) There shall be appropriate bumpers or wheel guards centered in the parking space to prevent any part of a parked vehicle from extending beyond the parking area.

(h) All lighting equipment used in illumination of off-street parking areas shall not create a nuisance or hazard for streets or adjoining properties.

(i) All parking areas shall be located and designed so as to avoid undue interference with the use of public streets and alleys. Parking areas shall provide suitable maneuvering room so that all vehicles may enter an abutting street in a forward direction. The backing of a motor vehicle onto a public street from a parking area is prohibited, except from a residential parking area that does not exceed two spaces per dwelling unit. Parking spaces must be directly accessible to a parking aisle.

(6) (a) Whenever two or more uses are located together in a common building, shopping center or other integrated building complex, the parking requirements may be complied with by providing a permanent common parking facility, cooperatively established and operated, which contains the requisite number of spaces for each use.

(b) The total number of spaces provided shall not be less than the sum of the individual requirements.

(7) (a) Every commercial or industrial building hereafter constructed in any district shall provide off-street loading berths in accordance with the following provisions:

<i>Use</i>	<i>Gross Floor Area</i>	<i>Minimum Berths</i>
Retail and industrial	1 - 12,000	0
	12,000 - 48,000	1
	48,000+	2
Office	0 - 48,000	0
	48,000 - 100,000	1
	10,000+	2

(b) The off-street loading berths shall be maintained on the same lot with the building.

(c) Each berth shall be no less than 12 feet in width, 50 feet in length and 14 feet in height.

(d) Loading berths may occupy part of any required side or rear yard, but no space may be located closer than ten feet to the rear property line.

(8) (a) When the off-street parking space or loading berth does not abut on a street, public or private alley or easement for access, an access drive of the following minimum widths shall be provided:

1. Two-way drive: 25 feet.
2. One-way drive for 90-degree parking: 24 feet.
3. One-way drive for 60-degree parking: 18 feet.

4. One-way drive for 45-degree parking: 13 feet.

(b) The maximum width of any driveway in the residential districts shall be 32 feet. The maximum width of any driveway in non-residential districts shall be 36 feet.

(9) All off-street parking areas, driveways and loading berths shall be constructed according to standards approved by the City Council and on file with the City Engineer.

(10) Notwithstanding any provision of this section, no off-street parking spaces or loading berths shall occupy the sight triangle at a corner.

(Prior Code, § 13-620) (Am. Ord. 1408, passed 8-18-87; Am. Ord. 1687, passed 11-5-02; Am. Ord. 1758, passed 1-17-06; Am. Ord. 1910, passed 12-1-15; Am. Ord. 1974, passed 8-6-19) Penalty, see § 10.99