

## ORDINANCE NO. 1438

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUKON, OKLAHOMA ADOPTING THE YUKON UNIFIED DEVELOPMENT CODE, CREATING A NEW CHAPTER 215, SECTIONS 101 TO 904, MAKING CERTAIN ADDITIONS, INSERTIONS, AND DELETIONS; DELETING OR REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

**WHEREAS**, Yukon Municipal Code APPENDIX A contains the Zoning Ordinance for the City of Yukon, consisting of part 2 of Ordinance No. 475, adopted by the council on December 21, 1972 and as amended thereafter; and

**WHEREAS**, Yukon Municipal Code APPENDIX B contains the Subdivision and Platting Regulations consisting of part 3 of Ordinance No. 475, adopted by the council on December 21, 1972 and as amended thereafter; and

**WHEREAS**, the City Council has approved the adoption and implementation of a UNIFIED DEVELOPMENT CODE and now desires to formally adopt and implement such UNIFIED DEVELOPMENT CODE by Ordinance with the Specific intent to establish land use regulations for the City of Yukon, for the purpose of:

- A. Promoting health, safety or general welfare of the community;
- B. Promoting the orderly development of Yukon in accordance with "Yukon's Best 2040," and adopted land use policies, also known as the comprehensive plan;
- C. Lessening congestion in the streets by planning, constructing, and maintaining an accessible, efficient, multi-modal, transportation system that meets the needs of the public and commerce, while minimizing risks to health, safety and the environment;
- D. Securing safety from fire, panic, and other dangers;
- E. Providing adequate light and air;
- F. Preventing the overcrowding of land and avoiding undue concentration of population;
- G. Providing for the protection of public investment in and facilitating the adequate provision of transportation, water, stormwater management systems, sewage treatment and disposal, solid waste treatment and disposal, recreation, public facilities, open space, and other public requirements to the benefit of the whole community;
- H. Providing that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners or developers of the tract;
- I. Establishing adequate and accurate records of land subdivision;
- J. Conserving the value of buildings and encouraging the most appropriate use of land throughout the community; and
- K. Providing for the gradual elimination of nonconformities.

**I. NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YUKON, OKLAHOMA THAT SECTIONS 101 THROUGH 904 SHALL BE ADDED TO NEW CHAPTER 215 OF THE YUKON MUNICIPAL CODE TO READ AS FOLLOWS:**

**Article 1. General Provisions**

**Section 101. Title**

This code shall be known as and may be cited and referred to as the "Unified Development Code of the City of Yukon, Oklahoma," "Yukon Unified Development Code," or "Yukon UDC." The term 'code' as used within this chapter shall mean the Yukon Unified Development Code. This code incorporates the Official Zoning Map of the corporate limits of the City of Yukon, as of the effective date of this code.

**Section 102. Purpose**

The intent of this Code is to establish land use regulations for the City of Yukon, for the purpose of:

- A. Promoting health, safety or general welfare of the community;
- B. Promoting the orderly development of Yukon in accordance with "Yukon's Best 2040," and adopted land use policies, also known as the comprehensive plan;
- C. Lessening congestion in the streets by planning, constructing, and maintaining an accessible, efficient, multi-modal, transportation system that meets the needs of the public and commerce, while minimizing risks to health, safety and the environment;
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- E. Providing adequate light and air;
- F. Preventing the overcrowding of land and avoiding undue concentration of population;
- G. Providing for the protection of public investment in and facilitating the adequate provision of transportation, water, stormwater management systems, sewage treatment and disposal, solid waste treatment and disposal, recreation, public facilities, open space, and other public requirements to the benefit of the whole community;
- H. Providing that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners or developers of the tract;
- I. Establishing adequate and accurate records of land subdivision;

- J. Conserving the value of buildings and encouraging the most appropriate use of land throughout the community; and
- K. Providing for the gradual elimination of nonconformities.

### **Section 103. Interpretation and application**

Interpretation and application of the provisions of this Code are held to be the minimum requirements for the promotion and protection of the public health, safety, and welfare. Terms and words are to be used and interpreted as defined in Article II. Definitions of this UDC.

### **Section 104. Jurisdiction**

- A. This Code applies to all land, uses, and structures within the corporate limits of City of Yukon.
- B. Territory annexed to the corporate limits of the City of Yukon, Oklahoma, subsequent to the effective date of this Ordinance shall immediately be subject to the provisions of this Ordinance and shall be deemed to be designated as A-Agriculture District, unless otherwise specified by ordinance at the time of annexation. And until altered or reclassified in the manner provided by law and this Section.
- C. Future rezoning and cancellation thereof: From and after the effective date of this Ordinance, the City Council may, in pursuance of protecting the public health, peace, safety and welfare of the city and its citizens, include in any or all future rezoning ordinances contingency provisions, which contingency provisions may include, but may not be limited to, specific requirements with respect to the development of the land including the type or form of construction thereon contemplated, and further providing that any substantial divergence from the plot plans, affidavits or memorandum of intent on which such zoning may have been based shall result in the immediate cancellation of such zoning after notice and public hearing thereon. The City Council shall take whatever action at the time it deems necessary, including, but not limited to, resolutions to cease and desist operations on the land concerned which [when] such operations are inconsistent with the representations, plot plans, affidavits or memorandums of intent theretofore submitted to the City Council by the applicant or owner of said property.

### **Section 105. Minimum Requirements**

Any structure, portion or whole, must be used, occupied, erected, constructed, reconstructed, moved or enlarged in conformance with the requirements of this Code. Any land within the corporate limits of Yukon must be used and occupied in conformance with the requirements of this Code.

## **Section 106. Conflicting Provisions**

- A. This Code does not nullify any private agreement or covenant. However, where this Code is more restrictive than a private agreement or covenant, this Code controls. Those charged with administration and enforcement of this Code do not enforce any private agreement.
- B. Unless otherwise specifically provided, this Code controls over less restrictive statutes, ordinances, or regulations, and more restrictive statutes, ordinances, or regulations control over the provisions of this Code.
- C. Any illustrations, graphics, and/or photos contained in this Code are to assist the reader in understanding and applying the Code. If there is any inconsistency between the text of the Code and any such illustration, graphic, and/or photo, the text controls unless specifically stated otherwise.

## **Section 107. Severability**

The provisions hereof are hereby declared to be severable, and if any section, paragraph, subparagraph, sentence or clause of this UDC is for any reason held invalid or inoperative by any court of competent jurisdiction, such decision shall not affect any other section, paragraph, subparagraph, sentence or clause hereof.

## Article 2. Definitions

Article 2. Definitions

### Section 201. Rules of Interpretations

- A. Words used in the present tense include the future, and the future tense includes the present.
- B. The singular shall include the plural, and the plural the singular.
- C. The word "building" shall also mean "structure."
- D. The word "used" shall include "arranged," "designed," "constructed," "altered," "converted," "rented," "leased," or "intended to be used."
- E. The words "must," "shall" is mandatory and not directory, except where the natural construction of the writing indicates otherwise.
- F. The word "may" is permissive.
- G. The words "must not," "will not," and "may not" are prohibiting.
- H. Whenever a defined word or term appears in the text of this UDC, its meaning must be construed as set forth in the definition. Words not defined must be interpreted in accordance with the definitions considered to be normal dictionary usage.

### Section 202. Abbreviations

- A. "DBH" is an abbreviation for "diameter at breast height."
- B. "GFA" is an abbreviation for "gross floor area."
- C. "ft" is an abbreviation for "feet."
- D. "N/A" is an abbreviation for "not applicable."
- E. "sf" is an abbreviation for "square feet."
- F. "WTFP" is an abbreviation for "wireless telecommunications facility permit."

## Section 203. Defined Terms

*Accessory use or structure:* A use or structure customarily incidental, appropriate, and subordinate to the principal use of a building or to the principal use of land and which is located upon the same lot.

*Abut:* Having a common border with or being separated from such common border by an alley or easement. This term implies a closer proximity than the term 'Adjacent.'

*Adjacent:* Lying near or close to, but not necessarily having a common property line.

*Alley:* A minor right-of-way dedicated to public use not more than thirty (30) feet wide affording a secondary means of access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

*Block:* In describing the boundaries of a district, the word "block" refers to the legal description. In all other cases, the word "block" refers to the property abutting on one side of the street between two (2) intersecting streets or between an intersecting street and a railroad right-of-way or between an intersecting street and a watercourse.

*Building line or setback line:* A line or lines designating the area outside of which a building may not be erected. See Article II. Section 204. for more information on measurement of setback line.

*Board of Adjustment:* The Board of Adjustment of the City of Yukon, Oklahoma; also referred to as the "Board."

*Buffer:* An area of land with a fence, wall, landscaping, open spaces, berms or a combination thereof, used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, buildings, nuisances or provided privacy.

*Building:* Any structure having a roof supported by columns or walls that is used or intended to be used for the shelter or enclosure of persons, animals, or property.

*Building, accessory:* See "Accessory Use or Structure."

*Building height:* 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 the average height of the highest gable of a pitch or hip roof.

*Building line:* A line established beyond which no part of a building shall project, except as otherwise provided by this Ordinance.

*Building, principal:* A building or buildings in which the principal use of the building site is conducted. In any Residential District, any dwelling shall be deemed to be the principal building on the building site.

*Bulletin board:* Any sign announcing the activities of an educational, religious, institutional or similar use.

*Canopy-mounted lights:* Lighting that is pendant, recessed or surface mounted to a structure's ceiling or soffit.

*City:* The City of Yukon, Oklahoma.

*City (council) (commission) (board of trustees):* The official governing body of the City of Yukon.

*City Planning Commission:* The Yukon City Planning Commission, as established by the statutes hereinbefore cited, also referred to as "Planning Commission." The City Planning Commission shall also be the Zoning Commission for the City of Yukon.

*Comprehensive plan:* The official city plan of the City of Yukon, Oklahoma.

*Coverage:* The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.

*Development Density:* Density in terms of gross land area are:

1. Low – less than 5 dwelling units per acre;
2. Medium – less than 12 dwelling units per acre;
3. High – more than 12 and less than 30 dwelling units per acre.

*Dwelling:* Any building or portion thereof designed or used as a residence of one or more persons, but not including a tent, cabin, trailer coach, recreational vehicle, boarding or rooming house, hotel or motel.

*Dwelling unit:* A room or group of rooms arranged, intended or designed as a habitable unit, containing kitchen, bath and sleeping facilities for not more than one family living independently of any other family.

*Easement:* A grant of the use of a strip of land for specific purposes by the property owner to the public, a corporation or persons.

*Electronic Message Display (EMD):* any electronic communication display device utilizing lights, diodes or similar illumination to create letters, numerals or graphic presentations, capable of one or more of such various functions or operating modes as steady, scrolling, travelling, alternating or flashing copy.

*Encroachment (floodplain):* Construction, placement of fill or similar alteration of topography in the floodplain that reduces the area available to convey floodwaters.

*Essential services:* The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories thereof, reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

*Façade:* The face of a building, especially the principal front that looks onto a street or open space.

*Family:* A person living alone or two or more persons related by blood or marriage, living together as a single housekeeping unit, using a single facility in a dwelling unit, for culinary purposes, as distinguished from a group occupying a boardinghouse, lodging house, hotel, motel, fraternity house, or sorority house.

*Flag-shaped lot:* A lot having access to a street by means of a parcel of land having a depth greater than its frontage and having a width less than the minimum required lot width. May also be referred to as a panhandle lot.

*Flood (one hundred year frequency):* A flood having an average frequency of occurrence once in 100 years although the flood may occur in any year, based on statistical analyses of stream flow records available for the watershed and analyses of rainfall and runoff characteristics in the general region of the watershed, as determined by the City Engineer, or as determined by the U.S. Corps of Engineers and confirmed by the City Engineer or as determined by a registered professional engineer and certified by the City Engineer.

*Flood control works:* Any natural or manmade configuration, structure, feature or facility, individually or in combination, that functions as a control device in the manipulation of stormwater.

*Flood hazard area:* The land area adjoining a floodway which is not reasonably required to carry and discharge the floodwater of the 100-year frequency flood but which would be inundated by the floodwater of the 100-year frequency flood based on full urbanization of the watershed.

*Floodway:* The channel of a watercourse or drainway and those portions of the adjoining lands which are reasonably required to carry and discharge the floodwater of the 100-year frequency flood.

*Floor area:* The sum of the gross horizontal areas of the several floors of a building or buildings, measured from the exterior faces of the exterior walls or from the center lines of walls separating two buildings.

*Footcandle:* A unit of incident light stated in lumens per square foot and measurable with an illuminance meter, a.k.a. footcandle or light meter.

*Frontage:* The lineal [linear] measurement of a lot boundary which is abutting a street.

*Glare:* The sensation produced by lighting that causes an annoyance, discomfort or loss in visual performance and visibility to the eye.

*Height:* The vertical measurement of any structure on any parcel of land measured from the average elevation of the lot or parcel to the uppermost point of the structure.

*Industry:* Storage, repair, manufacture, preparation or treatment of any article, substance, or any commodity for commercial use.

*Institutional uses:* Those uses organized, established, used or intended to be used for the promotion of a public, religious, educational, charitable, cultural, social, or philanthropic activity and normally operated on a nonprofit basis.

*Landscaped area:* Are all non-turf planting areas shown on a Landscape Plan, such as parking islands, planters, landscape beds, and the like.

*Loading space:* A space on the same lot as the principal use of at least ten (10) feet in width and thirty (30) feet in length and having a vertical clearance of at least fourteen (14) feet, designated for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

*Lot:* A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings or utilized for a principal use and uses accessory thereto, together with such open spaces as required by this Ordinance, and having access on a public street. A subdivision of a block or other parcel intended as a unit for the transfer of ownership or for development.

*Lot, corner:* A lot which has at least two adjacent sides abutting on a street, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees.

*Lot, depth:* The mean horizontal distance between the front and rear lot lines.

*Lot, double frontage:* A lot having a frontage on two (2) nonintersecting streets, as distinguished from a corner lot.

*Lot, interior:* A lot other than a corner lot.

*Lot, reverse frontage:* A lot intentionally designed so that the front lot line faces a local street rather than facing a parallel arterial street and which provides no access to the major street.

*Lot line:* Any boundary of a lot.

*Lot line, front:* The boundary of a lot which abuts a public street. Where the lot abuts more than one street, the owner may select the front lot line.

*Lot line, rear:* The boundary of a lot which is most distant from and most nearly parallel to the front lot line.

*Lot line, side:* Any boundary of a lot which is not a front lot line or a rear lot line.

*Lot, wedge-shaped:* A lot situated so that the front is either wider or narrower than the rear of the lot.

*Lots of record:* A separate and distinct parcel designated on a legally recorded subdivision plat or a legally recorded deed filed in the records of Canadian County, State of Oklahoma.

*Lumen* – The light-output rating of a lamp (light bulb), as used in the context of this UDC.

*Mean lot elevation:* The average elevation of a lot.

*Open space:* Area included in any side, rear, or front yard, or any other unoccupied space on a lot that is open and unobstructed to the sky except for the ordinary projection of cornices and eaves of porches.

*Parcel:* A lot as defined herein.

*Parking space:* A permanently surfaced area of not less than one hundred eighty (180) square feet, either within a structure or in the open, exclusive of driveways or access drives, for the parking of motor vehicles.

*Planning Commission:* See "City Planning Commission."

*Plat, preliminary:* A map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.

*Plat, final:* A map of a land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications, and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets and alleys, public areas, and other dimensions of land.

*Portable message centers:* sign structures that are moveable and not permanently attached to a foundation/ground. These include sign structures attached to a trailer chassis or other vehicle.

*Right-of-Way:* An area acquired or reserved for streets, drainage, utilities, pedestrian ways, or for another special use. For platting purposes, right-of-way established and shown on a final plat is

separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or area of such lots or parcels.

*Roadway:* That portion of any street so designated for vehicular traffic; and where curbs are in place, that portion of the street between curbs.

*Roominghouse:* See "Boardinghouse."

*Shielded:* The description of a light fixture from which no direct glare is visible at normal viewing angles, by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, barn doors, baffles, louvers, skirts or visors.

*Sign:* Any word, lettering, part of letters, figures, numerals, phrases, sentences, emblems, devices, designs, pictures, trade names or trademarks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, a service, a commodity or product, which are visible from any public street or right-of-way and designed to attract attention. "For Sale" and "For Rent" shall be deemed signs within the meaning of this definition, but the term "sign" shall not include the flag, pennant, or insignia of any nation, state, city, or other political, educational, charitable, philanthropic, civic, professional, religious, or like campaign, drive, movement, or event used for a public purpose in the public interest.

*Sign, display surface area:* The net geometric area of the surface of the sign upon, against or through which the message is displayed or illustrated, including the outward extremities of all letters, figures, characters and delineations, provided that only one face of a double-faced sign shall be included in the computation of display surface area.

*Sign, illuminated:* A sign designed to give forth any artificial light, or designed to reflect light from one or more sources, natural or artificial.

*Sign, monument:* A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building. Also known as a ground sign.

*Sign, pole:* A freestanding sign permanently supported in a fixed location by a structure of one or more pole, posts, uprights, or braces from the ground and not supported by a building or base structure.

*Sign, projecting:* A sign erected on the face or outside wall of a building which projects out at any angle therefrom.

*Sign, temporary:* Signs of non-permanent nature, typically displayed for short periods of time. These may include signs relating to special events or festivals. A temporary sign is a portable structure that is intended to be used for a brief period of time (no more than 60 days).

*Story:* That portion of a building 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.

*Street:* A public right-of-way which provides the primary public means of access to abutting property and used primarily for vehicular circulation.

*Street, arterial:* Any street designated by the City Council and/or as may be designated on the Thoroughfare Plan as an arterial, primary arterial, secondary arterial, major street, etc.

*Street, collector:* A street collecting traffic from minor streets and serving as the most direct route to an arterial street or a community facility. Any street may be designated by the City Council as a collector street when it serves, or when extended, may serve more than fifty (50) dwelling units.

*Street, minor:* Any street not designated on the Thoroughfare Plan as an arterial.

*Structural alteration:* Any change in the structural members of a building, such as walls, columns, beams or girders.

*Structure:* Anything constructed, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground (not including sidewalks, driveways and similar improvement areas).

*Subdivider:* Any person, firm, partnership, or corporation or other entity acting as a unit, subdividing or proposing to subdivide land as herein defined.

*Subdivision:* The division or redivision of land by map into two or more lots, tracts, sites or parcels for the purpose of transfer of ownership or for development, or the dedication or vacation of a public or private right-of-way or easement.

*Thoroughfare plan:* The part of the Comprehensive Plan referring to transportation development goals, principles, and standards; also includes use of the words "Major Street Plan", "Roadway Network" and "Trafficways Plan."

*Trailer:* A portable or mobile unit, other than a mobile home, used or designed to carry or transport material or animals.

*Vacate:* The termination, by written instrument, or judicial act of the district court, of private and/or public rights in a public way, easement, or plat.

*Yard:* A required space on a lot unobstructed except as expressly permitted.

*Yard, front:* A yard extending across the full width of a lot from side lot line to side lot line abutting on a street, into which a building may not protrude.

*Yard, rear:* A yard extending across the rear of a lot measured from side lot line to side lot line.

*Yard, side:* A yard extending from front yard to the rear yard abutting the side lot line, into which no building may protrude.

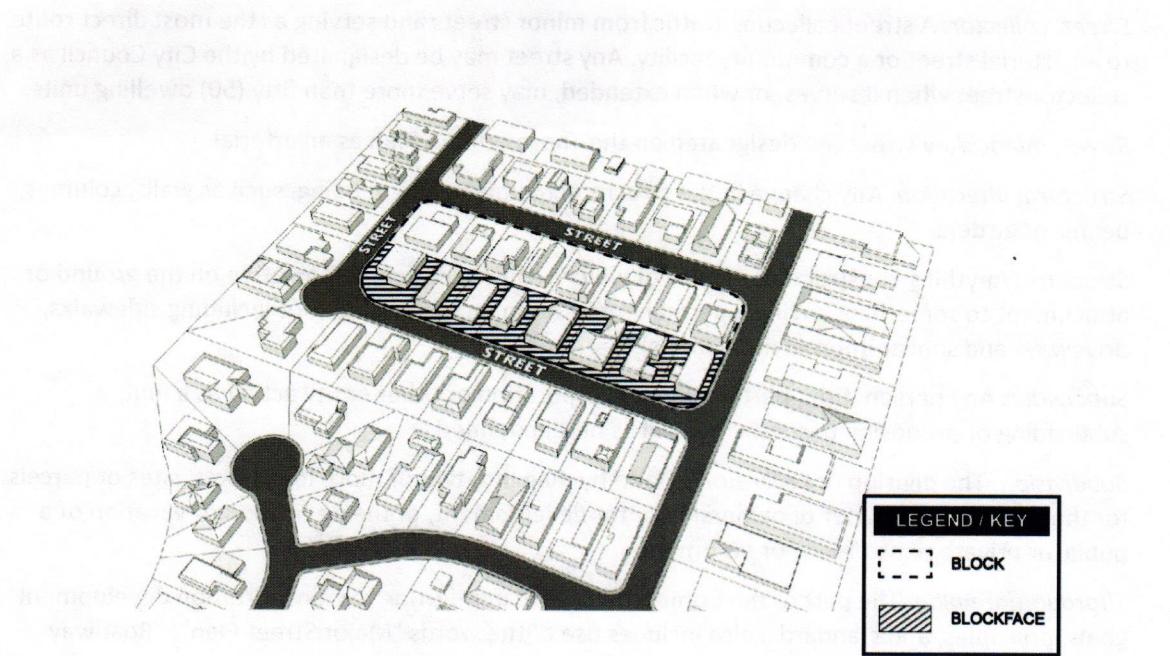
*Zoning administrator:* Designated staff person in charge of administration of zoning code also known as Development Services Director or designee.

## **Section 204. Rules of Measurements**

This section provides the rules of measurement for the dimensional standards and locational characteristics within the Code.

**A. Block and Blockface:**

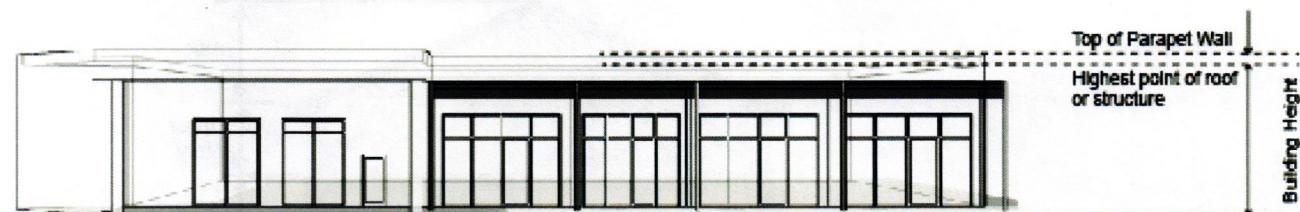
1. A block is a tract of land bounded by streets, or a combination of streets and railroad rights-of-way, shorelines of waterways, or municipal boundary lines.
2. Blockface is measured as that portion of a block or tract of land facing the same side of a single street and lying between the closest intersecting streets.



B. *Building Coverage*: That portion of the lot that is or may be covered by buildings and accessory structures.

C. *Building Height*:

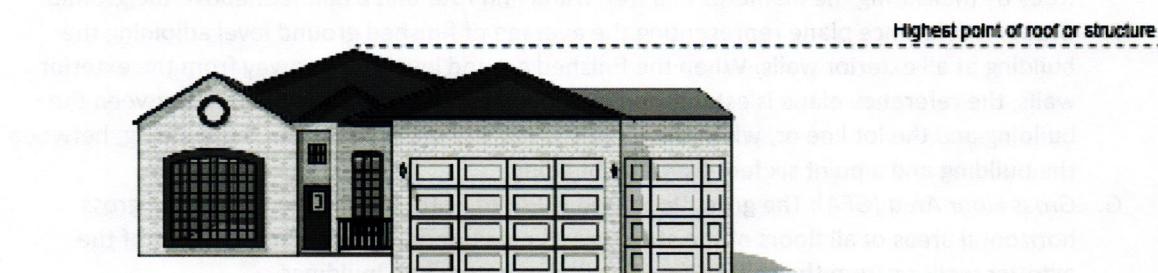
1. Building height is measured as the vertical distance from grade to the top of the highest point of the roof or structure. This method of building height applies to all structures unless specifically exempted by this Code. The distance excludes spires, chimneys, flag poles, and the like, as described in item 2 below.
2. The following structures or parts thereof are exempt from maximum height limitations, unless otherwise limited by any height restriction imposed by any airport authority, or other similar federal, state, or local authority.
  - a) Public utility poles, towers, and wires. This does not include wireless telecommunication towers and wind turbines that are regulated separately by this Code.
  - b) Water tanks and standpipes.
  - c) Building appurtenances such as chimneys, skylights, steeples, flag poles, smokestacks, cooling towers, elevator bulkheads, fire towers, monuments, water towers, stacks, stage towers, or scenery lofts, tanks, ornamental towers and spires, rooftop accessory structures, recreational facilities, necessary mechanical appurtenances, or penthouses to house mechanical appurtenances.



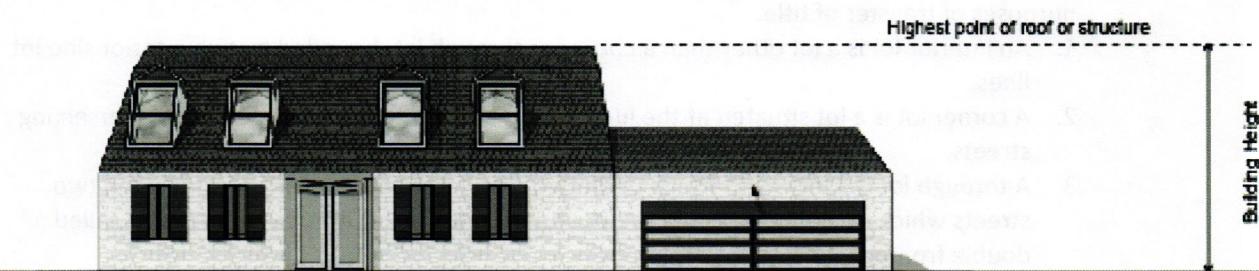
**FLAT ROOF WITH PARAPET WALL**



**FLAT ROOF WITH MECHANICAL APPURTEANCE**

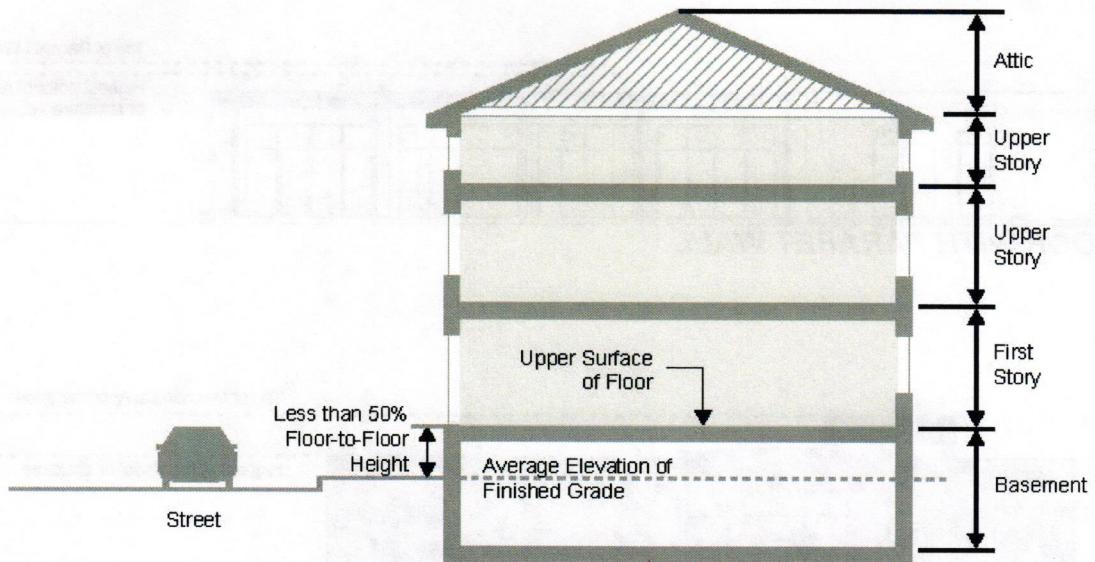


**PITCHED ROOF**

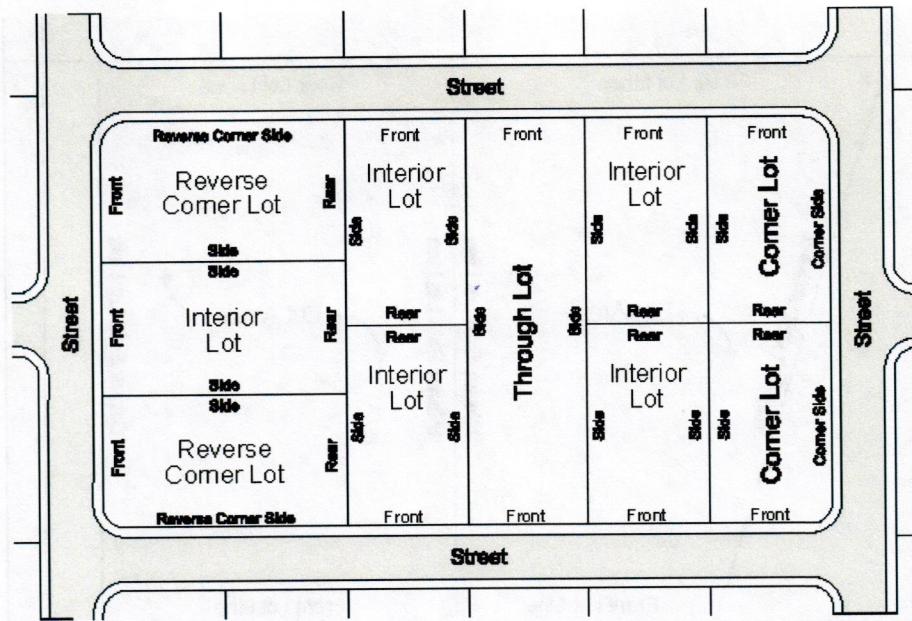


**MANSARD ROOF**

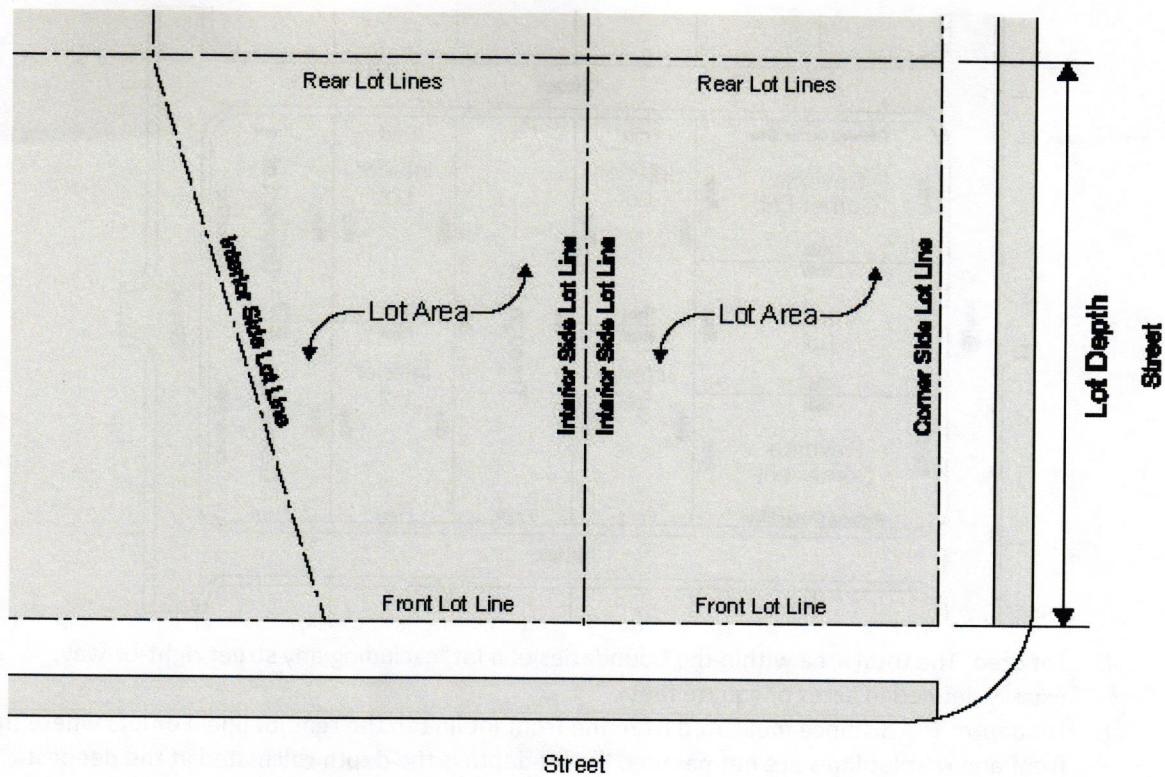
3. A story is that portion of a building between the upper surface of any floor and the upper surface of the floor next above, including any portion of a building used for human occupancy between the topmost floor and the roof.



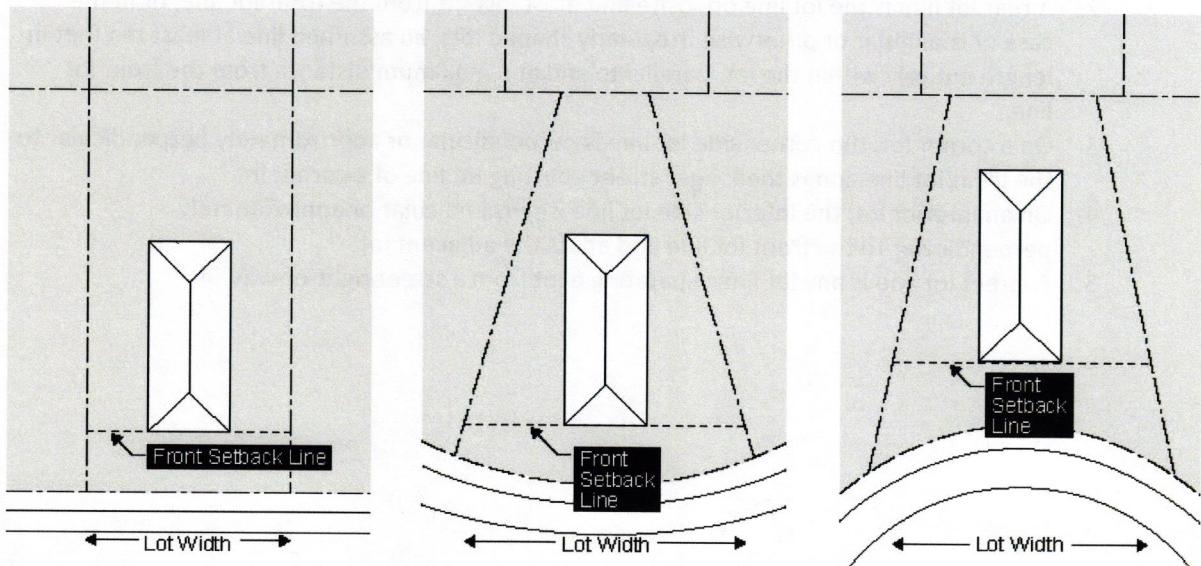
- D. *Caliper*: Tree caliper is the diameter of a tree trunk, measured at 12 inches above the ground; used for measuring nursery trees not mature trees.
- E. *Diameter at Breast Height*: Diameter at breast height is used for establishing the size of mature trees by measuring the diameter of a tree trunk four and a half feet above the ground.
- F. *Grade*: A reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane is established by the lowest points within the area between the building and the lot line or, when the lot line is more than six feet from the building, between the building and a point six feet from the building.
- G. *Gross Floor Area (GFA)*: The gross floor area (GFA) of a structure is the sum of the gross horizontal areas of all floors of the structure as measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings.
- H. *Lot*: A lot is the basic land development unit. Its area, depth, and other dimensional regulations, and boundaries have been established by an approved subdivision plat filed with Canadian County, or an unplat lot and which is recognized as a separate legal entity for purposes of transfer of title.
  - 1. An interior lot is a lot other than a corner or through lot, bounded by two interior side lot lines.
  - 2. A corner lot is a lot situated at the junction of, and abutting on, two or more intersecting streets.
  - 3. A through lot is a lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot. A through lot is also called a double frontage lot.
  - 4. A reverse corner lot is a corner lot where the side lot line adjoining a street is substantially a continuation of the front lot line of the first lot to its rear.



- I. *Lot area*: The total area within the boundaries of a lot, excluding any street right-of-way, usually defined in acres or square feet.
- J. *Lot depth*: The distance measured from the front lot line to the rear lot line. For lots where the front and rear lot lines are not parallel, the lot depth is the depth calculated at the deepest part of the lot.
- K. *Lot line*: A line of record bounding a lot, as indicated on an approved, filed, and recorded subdivision plat, which divides one lot from another lot or from a public or private street or any other public or private space and includes:
  1. A front lot line is the lot line separating a lot from a street right-of-way. The front lot line of a corner lot is the shortest street lot line of a corner lot abutting a street. A front lot line for a through lot is both lot lines that abut a street.
  2. A rear lot line is the lot line opposite and most distant from the front lot line, or in the case of triangular or otherwise irregularly shaped lots, an assumed line at least ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
  3. On a corner lot, the corner side lot line is perpendicular or approximately perpendicular to the front lot line and is the longer street abutting lot line of a corner lot.
  4. On an interior lot, the interior side lot line is perpendicular or approximately perpendicular to the front lot line and abuts the adjacent lot.
  5. A street lot line is any lot line separating a lot from a street right-of-way.



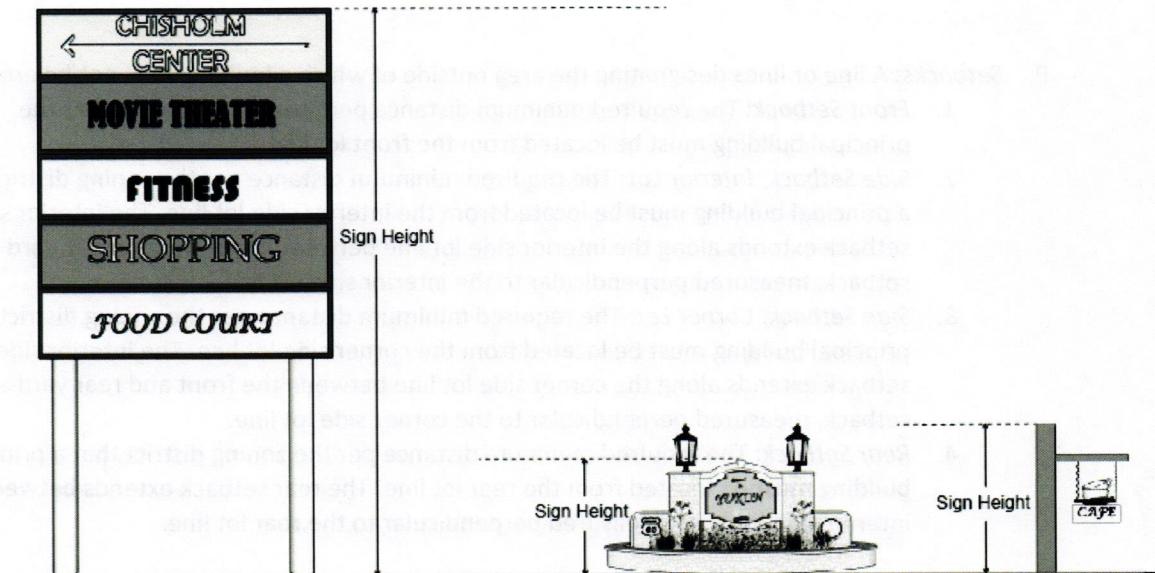
L. **Lot Width:** Lot width is the horizontal distance between the side lot lines measured at right angles to its depth along a straight line parallel to the front lot line at the minimum front setback line. For cul-de-sac lots or pie-shaped lots, lot width is measured at the front building line of the structure between side lot lines.



**M. Sign Area Measurements:**

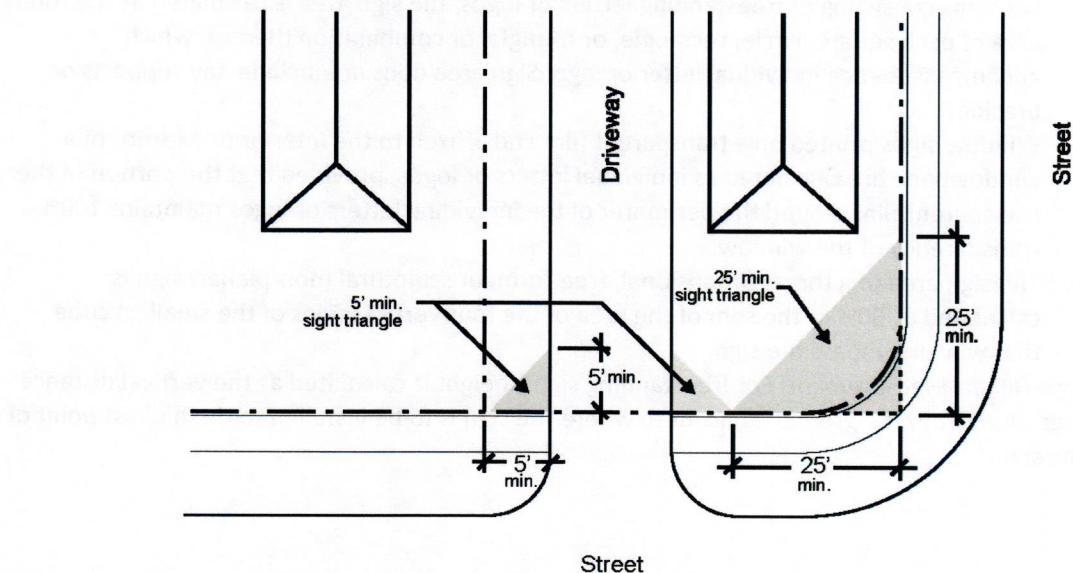
1. For signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign face and the background used to differentiate the sign from the structure against which it is mounted. Sign area does not include any supports or bracing.
2. For signs consisting of freestanding letters or logos, the sign area is calculated as the total area of each square, circle, rectangle, or triangle, or combination thereof, which encompasses each individual letter or logo. Sign area does not include any supports or bracing.
3. Window signs printed on a transparent film and affixed to the interior or exterior of a windowpane are calculated as individual letters or logos, provided that the portion of the transparent film around the perimeter of the individual letters or logos maintains 100% transparency of the window.
4. The sign area of a three-dimensional, free-form, or sculptural (non-planar) sign is calculated as 50% of the sum of the area of the four vertical sides of the smallest cube that will encompass the sign.

**N. Sign Height Measurement:** For freestanding signs, height is calculated as the vertical distance measured from the ground adjacent to where the sign is to be installed to the highest point of the sign.



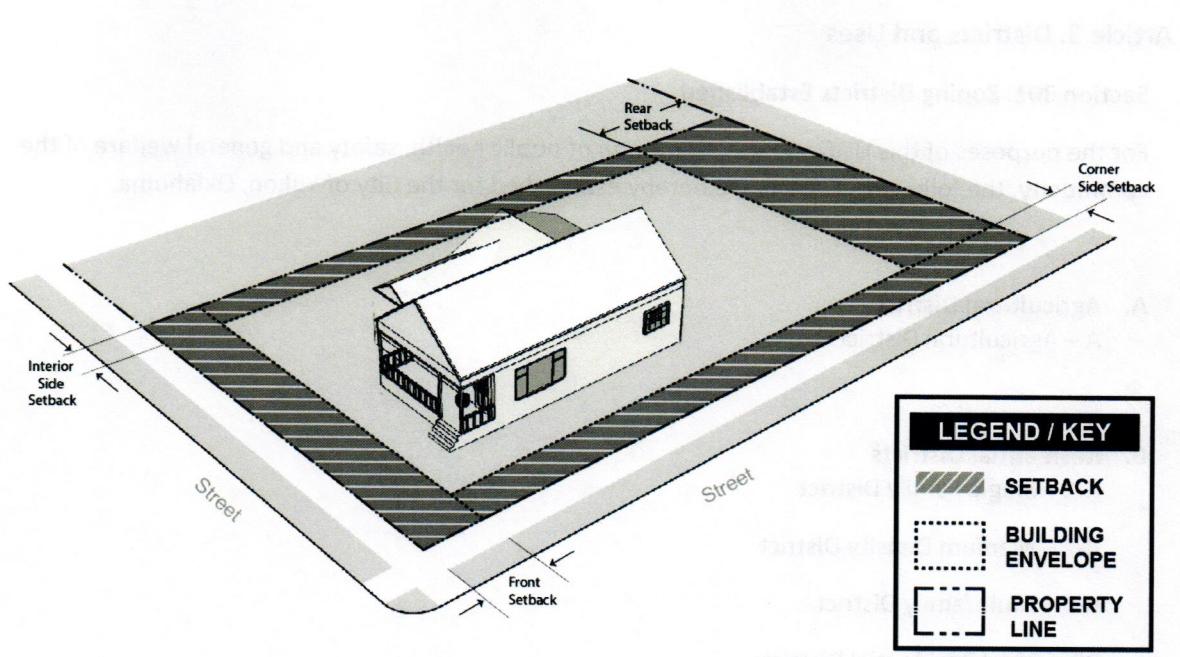
O. *Sight Triangle:* Sight triangle is measured at a line joining the points at a distance as follows:

1. Five feet from the point of the intersection of driveways and the lot line, as measured along the lot line and edge of driveway pavement.
2. Twenty-five feet from the point of the intersection of streets and/or alleys (public or private) of a corner lot as measured along the lot line.



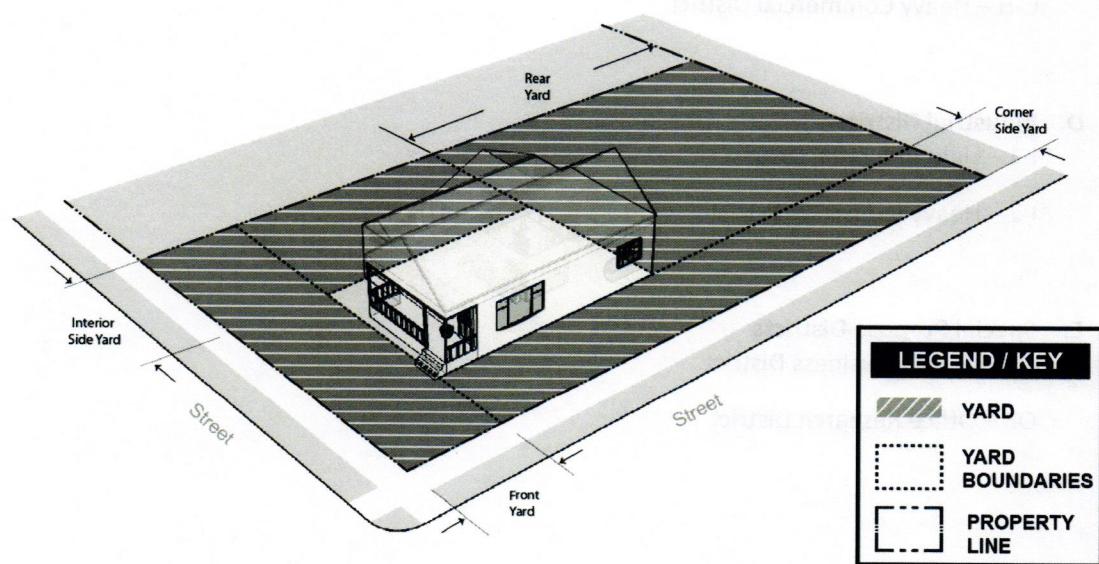
P. *Setbacks:* A line or lines designating the area outside of which a building may not be erected.

1. *Front Setback:* The required minimum distance per the zoning district that the principal building must be located from the front lot line.
2. *Side Setback, Interior Lot:* The required minimum distance per the zoning district that a principal building must be located from the interior side lot line. The interior side setback extends along the interior side lot line between the front and rear yard and setback, measured perpendicular to the interior side lot line.
3. *Side Setback, Corner Lot:* The required minimum distance per the zoning district that a principal building must be located from the corner side lot line. The interior side setback extends along the corner side lot line between the front and rear yard and setback, measured perpendicular to the corner side lot line.
4. *Rear Setback:* The required minimum distance per the zoning district that a principal building must be located from the rear lot line. The rear setback extends between interior side lot lines, measured perpendicular to the rear lot line.



Q. **Yards:** A yard is the open space area between the building line of a principal building and the adjoining lot lines.

1. *Front Yard:* A front yard is located between a principal building line and the front lot line.
2. *Side Yard, Interior:* An interior side yard is located between a front setback and the interior side lot line.
3. *Side Yard, Corner:* A corner side yard is located between a front setback and the corner side lot line.
4. *Rear Yard:* A rear yard is located between the rear lot line and rear building wall.



## **Article 3. Districts and Uses**

### **Section 301. Zoning Districts Established**

For the purposes of this UDC and the promotion of public health, safety and general welfare of the community, the following districts are hereby established for the City of Yukon, Oklahoma.

#### **A. Agricultural District**

A – Agricultural District

#### **B. Residential Districts**

R-1 – Single Family District

R-2 – Medium Density District

R-3 – Multifamily District

RR – Rural Residential District

MH – Manufactured/Mobile Home District

#### **C. Commercial Districts**

C-O – Office District

C-N – Neighborhood Commercial District

C-G – General Commercial District

C-H – Heavy Commercial District

#### **D. Industrial Districts**

I-1 – Light Industrial District

I-2 – Heavy Industrial District

#### **E. Special Purpose Districts**

CB – Central Business District

OR – Office Research District

## **F. Special Development Types**

PUD – Planned Unit Development

SPUD – Simplified Planned Unit Development

## **G. Overlay Districts**

I-40 Corridor Overlay District

Urban Core Overlay District

## **Section 302. District Intent Statements**

### **A. A – Agricultural District**

The Agricultural District is intended to protect undeveloped areas from intensive uses and allow farming and ranching operations.

### **B. R-1 – Single-Family District**

The Single-Family District is intended to provide quiet, low-density areas for single-family living with related recreational, religious, and educational facilities protected from all commercial and industrial activity.

### **C. R-2 – Medium Density District**

The Medium Density District is intended to provide a quiet, slightly higher population density area through townhomes, duplexes, triplexes and four-plexes.

### **D. R-3 – Multifamily District**

The Multifamily District is intended to provide higher density areas through high-rise, mid-rise, and garden apartments in proximity to daily needs.

### **E. M-H – Manufactured/Mobile Home District**

The Manufactured/Mobile Home District is intended to encourage the development of properly planned mobile home parks and subdivisions in residential environments and to establish standards for the size, design, and quality of mobile home parks and subdivisions.

### **F. RR – Rural Residential**

The Rural Residential District is intended as rural-style development of a single-family residential dwelling on a lot intended for areas where a community sewer and water are not planned in the near future, but where other public services may be available, and topography and soil conditions

allow development at a low population density that can rely on site water supply and waste disposal systems without creating public health hazards. This Rural Residential district is intended primarily for areas devoted to large-lot suburban residential use. The regulations and restrictions in this RR District are intended to protect the residential character of these areas and conserve Yukon's environmental resources.

**G. C-O – Office District**

The Office District is intended for general and professional office and related activity to meet the needs of the community in such a manner as to not be offensive to a general neighborhood containing residential, religious, recreational, and educational elements. It is intended that this district be located so as not to introduce traffic onto solely residential streets or become an intrusion into a Residential District, but to serve as a buffer between residential and more intensive commercial activities.

**H. C-N – Neighborhood Commercial District**

The Neighborhood Commercial District is intended for a unified grouping in one or more buildings of retail shops and stores and personal services of limited size and service area that provide for the regular needs and are for the convenience of the people residing in the adjacent residential neighborhoods where retail shops and personal services are not otherwise readily available.

**I. C-G – General Commercial District**

The intent of the General Commercial District is to accommodate regional commercial centers, medium and large-scale development that may generate a sizeable amount of traffic and typically requires higher amounts of off-street parking and appropriate landscaping and screening materials.

**J. C-H – Heavy Commercial District**

The Heavy Commercial District is intended as a district in which the principal use of land is for establishments offering accommodations, motorist supplies and services, and recreation services and supplies and areas of more intense commercial use, including those related to motor vehicles and outdoor storage.

**K. CB – Central Business District**

The regulations for the Central Business District are intended to provide for orderly redevelopment through a mix of commercial, retail, office, and residential uses. Residential dwelling units are allowed above the ground floor.

**L. I-1 – Light Industrial District**

The intent of the Light Industrial District is to provide a location for industries which do not by their nature create nuisances and for commercial uses that either due to the nature of their operation are best located in the I-1, Light Industrial District, or are either supportive, or compatible or not detrimental to the industrial activities allowed.

#### **M. I-2 – Heavy Industrial District**

The intent of the Heavy Industrial District is to provide a location for industries which may by their nature create some nuisance. The intent is to preserve this land especially for such industry in locations with access to arterial streets as designated on the Comprehensive Plan, as well as locations generally accessible to railroad transportation.

#### **N. O-R – Office Research District**

The Office Research District is intended to accommodate larger office structures such as office parks, research and development facilities, and which may include limited light industrial uses with no outside impacts. Residential dwelling units are allowed above the ground floor; and multi-family uses are allowed, as a part of an overall office/industrial use.

#### **O. PUD – Planned Unit Development**

The intent of the Planned Unit Development is to promote innovative design in development through flexibility in uses and bulk regulations. This district is intended to provide efficient use of land, quality open space, balanced variety of housing choices, and thoughtful approaches to natural site features. The PUD is not intended to be utilized only for the purpose of obtaining a variance to the bulk standards or other UDC requirements. The Planned Unit Development is meant for larger scale development, on sites 5 acres or larger.

#### **P. SPUD – Simplified Planned Unit Development**

The intent of the Simplified Planned Unit Development is to promote innovative design in development through flexibility in uses and bulk regulations. This district is intended to provide efficient use of land, quality open space, balanced variety of housing choices, and thoughtful approaches to natural site features. The SPUD is not intended to be utilized only for the purpose of obtaining a variance to the bulk standards or other UDC requirements. The Simplified Planned Unit Development is meant for smaller scale, often infill, development, on sites less than 5 acres.

#### **Q. I-40 Corridor Overlay District**

The intent of the I-40 Corridor Overlay District is to ensure the orderly development of commercial and entertainment uses with a regional draw while addressing issues of site design, signage, landscaping and access management.

#### **R. Urban Core Overlay District**

The intent of the Urban Core Overlay District is to ensure the orderly redevelopment of the core of Yukon while addressing issues of site design, density and intensity, signage, landscaping and allowing a mix of uses.

### **Section 303. Zoning Map**

#### **A. Incorporated**

The locations and boundaries of zoning districts shall be established by Ordinance and shall be delineated and shown on a map entitled "Zoning Map of the City of Yukon, Oklahoma," and the Zoning Map is hereby incorporated as a part of this UDC.

#### **B. District Boundaries Established**

The boundaries of a zoning district shall extend to a centerline of abutting streets, regardless of the legal description used in establishing such districts. In the event of uncertainty in the exact boundaries of any of the districts as shown on the official "Zoning Map of the City of Yukon, Oklahoma," the Planning Commission, upon written application or upon its own motion, shall recommend the location of such boundaries to the City Council, and the City Council shall make the final determination.

#### **C. Maintenance of Official Zoning Map**

It shall be the duty of Development Services Director or designee to maintain an up-to-date official "Zoning Map of the City of Yukon, Oklahoma" including all amendments directly adopted by the City Council.

### Section 304. Permitted Use Table

Where the letter 'P' appears in the Permitted Use Table the use shall be permitted by right. Where the letter 'C' appears in the Permitted Use Table these uses shall be subject to conditions outlined in Section 308. B. Conditional Uses. Where the letters 'SP' appears in the Permitted Use Table the use shall be subject to standards outlined in Section 308.E. Special Permit Uses and shall be subject to public review processes outlined in Article 7. Administration. Section 709.

A. Residential Uses Table

Use Category	Use Type	A	R-1	R-2	R-3	RR	MH	CO	CN	CG	CH	I-1	I-2	CB	OR	I-40 OVERLAY	URBAN CORE OVERLAY
<b>RESIDENTIAL USES</b>																	
	Accessory dwelling unit <sup>†</sup>																
	Dwelling, above the ground floor															P	P
	Dwelling, duplex <sup>**</sup>						P										P
	Dwelling, triplex <sup>**</sup>						P										P
	Dwelling, quad-plex <sup>**</sup>						P										
	Dwelling, multifamily <sup>**</sup> *						P										P
	Dwelling, single-family attached						P										
	Dwelling, single-family detached						P	P	P								P
	Dwelling, zero lot line							P									
	Mobile/Manufactured home park							P		P							C
	Mobile/Manufactured home subdivision							P		P							
	Boarding, dormitory, or rooming house							P		P							
	Group home							P	P	P				P			
	Convalescent home, nursing home or assisted living facility							P	P	P			P		P		

<sup>†</sup>Accessory dwelling units are not allowed by right in any zoning district. They may be approved as a part of a PUD or SPUD. No more than one accessory dwelling unit is allowed per parcel.

<sup>\*\*</sup>Refer to Article 5, Section 509. A. Duplex, Triplex, Fourplex and Multifamily Design Requirements.

B. Public/Institutional Use Table

Use Category	Use Type	A	R-1	R-2	R-3	RR	MH	CO	CN	CG	CH	I-1	I-2	CB	OR	I-40 OVERLAY	URBAN CORE OVERLAY
<b>PUBLIC / INSTITUTIONAL USES</b>																	
Cemetery		C						P			P	P	P	P	P	P	P
Government administration and civic buildings		C	C	C	C	C	C	C	C	C	C		C	C	C	C	P
Municipal or community recreation center		C	C	C	C	C	C	C	C	C	C		P	P	P	P	P
Places of assembly		P	C	C	P	P	P	P	P	P	P		P	P	P	P	P
Correctional facility												SP	SP	SP	SP	SP	SP
Public safety facility		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Art gallery or museum, public		C	C	C	C	C	C	P	P	P	P		P	P	P	P	P
Library, public		P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
Childcare center								C			C	P		P	P	P	P
Home day care		P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
Home day care, large		P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
College or university		P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
Elementary school		P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
Middle school or high school		P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
Trade or technical school													P	P	P	P	P
Medical office or clinic													P	P	P	P	P
Hospital													P	P	P	P	P
Micro or Specialty Hospital		P	C	C	P							P	P	P	P	P	P
Arboretum or botanical garden																	P
Campground		C															P
Community playfields and parks		P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
Freestanding tower		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	SP	SP
Building or tower-mounted antenna		C	C	C	C	C	C	C	C	C	C		C	C	C	C	C
Broadcasting, transmitting or recording studio													C	P	P	P	P
Airport		SP											P	P	P	P	P
Bus and passenger train terminal													SP	SP	SP	SP	SP
Heliport		SP											P	P	P	P	P
Railroad		P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
Utility facility, major		P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
Utility facility, minor		P	P	P	P	P	P	P	P	P	P		P	P	P	P	P

C. Commercial Use Table

Use Category	Use Type	A	R-1	R-2	R-3	RR	MH	CO	CN	CG	CH	I-1	I-2	CB	OR	I-40 OVERLAY	URBAN CORE OVERLAY
<b>COMMERCIAL USES</b>																	
Agriculture, animal raising (except hogs)	P														P		
Agriculture, crops	P																
Confined feeding operations	SP																
Horticulture	P														P		
Retail, farm products sold on premises	P														C	C	C
Animal care (indoor)	C														C	C	C
Animal care (outdoor)	C														C	C	C
Animal pet shop, retail															P		
Animal training school	P														P		
Bar/nightclub															C	C	C
Catering service															P		
Fruit and vegetable market															P		
Restaurant (without drive-through)															P		
Restaurant (with drive-through or drive-in)															P		
Micro food and/or beverage production															P		
Office, business or professional															P		
Research laboratory															C	P	P
General outdoor recreation, lighted	C														C	P	P
General outdoor recreation, unlighted	P														C	C	P
Major entertainment facility															C	C	P
Racetrack (auto, dog, or horse)	C														C	P	P
RV campground/park	C																
Shooting range	SP														SP		
Zoo															P	P	P
Art gallery or museum, private															P		P
Fitness and recreational sports center	C														C	P	P
General indoor recreation															P		P
Major entertainment facility															C	C	P
Movie theatre															P		P
Sexually oriented business															SP		
Dry cleaning and laundry service															C	C	P
Financial institution, with drive-thru															P	P	P
Financial institution, without drive-thru															P	C	P
Funeral services															P	P	P
General personal services															P	P	P
Instructional services															C	C	P
Personal storage															C	C	P

Use Category	Use Type	A	R-1	R-2	R-3	RR	MH	CO	CN	CG	CH	I-1	I-2	CB	OR	I-40 Overlay	Urban Core Overlay
	Alcoholic beverages, retail sales							P	P	P	P				P		
	Convenience store with gas sales							P	P	P	P				C		
	Horticulture nursery sales	P							P			P			P		
	Open-air or street market									C					C		
	Retail, minor							P	P	P	P			P			
	Retail, major								P	P	P			P		P	
	Boat and/or RV storage									P	P			P		P	
	Car wash									P	P			P		C	
	Parking structure								C	P				P			
	Stand-alone parking lot								P	P	P			P		P	
	Vehicle sales and rental								P	P	P			P		P	
	Vehicle service and repair, heavy								P	P	P			P		C	
	Vehicle service and repair, light							P	P	P	P			P		P	
	Bed and breakfast	SP	SP	SP					P						P		
	Visitor accommodation equipment									C	P			P			
	Short term rental	SP	SP	SP	SP	SP	SP	SP									

**D. Industrial Use Table**

Use Category	Use Type	A	R-1	R-2	R-3	RR	MH	CO	CN	CG	CH	I-1	I-2	CB	OR	I-40 OVERLAY	URBAN CORE OVERLAY
<b>INDUSTRIAL USES</b>																	
Industrial	Crematorium															SP	SP
Industrial service	Fossil fuel storage															P	P
Industrial	General industrial service															P	P
Industrial	Assembly, light															P	P
Manufacturing and processing	Manufacturing, light															P	P
	Manufacturing, heavy															P	P
	Agriculture, hog raising															SP	SP
	Agriculture, animal processing															SP	SP
	Mining and processing - minerals and raw materials															SP	SP
	Mining and processing - oil and gas															SP	SP
	Motor freight terminal															P	P
	Office warehouse															P	P
	Storage yard															P	P
	Warehouse															P	P
Waste and salvage	Wholesale establishment															P	P
	Auto salvage yard															SP	SP
	Scrap operations															SP	SP
	Recycling center (outdoor/indoor)															SP	SP
	Solid waste disposal															SP	SP

### Section 305. Use Categories

This section defines the use categories and specific use types listed in Section 304.

#### A. Residential Uses.

1. Household living: This use category is typified by an individual household dwelling unit. Specific types of household living include, but are not limited to:
  - a. *Accessory Dwelling Unit*: A dwelling for one (1) household erected as an accessory structure to a principal dwelling unit, all located on one (1) lot. Accessory dwelling units are not allowed by right in any zoning district. They may be approved as a part of a PUD or SPUD. No more than one accessory dwelling unit is allowed per parcel.
  - b. *Dwelling, above ground floor*: A dwelling located above the ground floor of a non-residential use.
  - c. *Dwelling, duplex*: A building (attached or detached) containing two dwelling units located on one (1) lot, or on two lots with a shared wall, designed for and used by two households.
  - d. *Dwelling, triplex*: A building (attached or detached) containing three dwelling units located on one (1) lot, designed for, and used by three households.
  - e. *Dwelling, four-plex*: A building (attached or detached) containing four dwelling units located on one (1) lot, designed for, and used by four households.
  - f. *Dwelling, multifamily*: A building containing more than four dwelling units located on (1) lot.
  - g. *Dwelling, single-family attached*: A dwelling unit on one (1) lot attached to another dwelling unit on an adjoining lot with a common wall or party wall extending from ground to roof between the units, and with separate outdoor entrances. Commonly includes condominiums, townhouses and rowhouses.
  - h. *Dwelling, single-family detached*: A dwelling unit located on one (1) lot and having no walls in common with adjoining dwellings.
  - i. *Dwelling, zero lot line*: A detached dwelling unit that has only one (1) side yard.
  - j. *Mobile/manufactured home park*: A site under single ownership, with required improvements and utilities for the long-term parking of mobile/manufactured homes on individual home sites, which may include services and facilities for the residents.
  - k. *Mobile/manufactured home subdivision*: A subdivision with required improvements and utilities for the long-term parking of mobile/manufactured homes on individual home lots under individual ownership, which may include services and facilities for the residents.
2. Group living: This use category is characterized by residential occupancy of a structure by a group of people who do not meet the definition of "household living." Generally, group living facilities have common eating area for residents, and can have other common spaces such as recreational facilities. Residents in group living facilities may receive care, treatment, or training. Caregivers may or may not reside at the site. Specific use types include, but are not limited to:
  - a. *Boarding, dormitory, and rooming house*: A building arranged or used for lodging, with or without meals, for compensation and not occupied as a single-family unit.
  - b. *Group home*: A community-based residential facility where two (2) or more persons with developmental or physical disabilities who require specialized living

arrangements, lodging, meals, and supervision by a nonrelated person or persons for a monthly fee or charge.

c. *Convalescent home, nursing home, or assisted living facility*: A home for the aged, recuperating, chronically ill, or incurable persons, in which two (2) or more persons not of the immediate family are received, kept, or provided with food and shelter or care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of disease or injury.

#### B. Public/Institutional Uses.

1. Community service: Uses including buildings, structures, or facilities owned, operated, or occupied by a governmental entity or private organization to provide a service to the public. Specific use types include, but are not limited to:
  - a. *Cemetery*: Land used or dedicated to the interment of human or animal remains, including columbaria, mausoleums, and mortuaries.
  - b. *Government administration and civic buildings*: An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to post offices, employment offices, building permit offices, public assistance offices, or motor vehicle licensing and registration services.
  - c. *Municipal or community recreation center*: A facility providing recreation/pool facilities and/or meeting rooms, and typically oriented to the recreational needs of the residents of the surrounding area.
  - d. *Places of assembly*: A building or structure, or group of buildings or structures, intended primarily for the conducting of organized assembly. May include, but are not limited to religious facilities, assembly halls, and fraternal/social clubs. Accessory uses may include meeting rooms, offices, and childcare provided for persons while they are attending assembly functions.
  - e. *Public safety facility*: A facility used to conduct publicly owned safety and emergency services, such as, but not limited to, fire stations, police stations, emergency medical and ambulance services.
2. Cultural facility: A cultural facility displays or preserves objects of interest or provides facilities for one (1) or more of the arts or sciences. May include ancillary uses such as offices, gift shops, and storage areas. Specific use types include, but are not limited to, the following:
  - a. *Art gallery or museum, public*: Any permanent institution for the collection and display of objects of art or science, sponsored by a public or quasi-public agency and open and available to the public.
  - b. *Library, public*: A permanent facility for storing and loaning books, periodicals, reference materials, audio and videotapes, and other similar media for use by the public.
3. Childcare facility: Facilities licensed by the State of Oklahoma (State), according to The Oklahoma Child Care Facilities Licensing Act (10 O.S., § 401-410), that provide care for children on a regular basis away from their primary residence, not including public or private schools, or facilities where children are cared for while guardians or occupied on the premises or in the immediate vicinity. Provided, however, this definition shall not include custody of children fixed by a court, children related by blood or marriage within the third degree to the custodial person. Ancillary uses may include open space, kitchen/food preparation facilities, playgrounds, and administrative offices.

- a. *Childcare center*: Facilities that offer care programs for 30 or more hours per week as defined by the State. These can include a commercial day care or nursery school.
- b. *Home day care*: Any home which receives up to seven (7) children for care apart from their natural parents, legal guardians or custodians, for regular periods of time for compensation. This use includes Family Child Care Homes as defined by the State.
- c. *Home day care, large*: Any home which receives eight (8) to twelve (12) children for care apart from their natural parents, legal guardians or custodians, received for regular periods of time for compensation, and may have more than one care provider. This use includes Large Child Care Homes as defined by the State.

4. Education: These uses are public, private, and parochial institutions at the primary, elementary, middle, high school, or post-secondary level, or trade or business schools, which provide educational instruction to students. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care. Specific use types include, but are not limited to:

- a. *College or university*: A degree-granting institution, other than a trade or technical school, that provides education beyond the high school level. The use includes, but is not limited to, classroom buildings, offices, laboratories, lecture halls, athletic facilities, and dormitories.
- b. *Elementary school*: An educational institution that satisfies the compulsory education laws of the State of Oklahoma for students in elementary grades. This definition includes both public schools and private schools.
- c. *Middle school or high school*: An educational institution that satisfies the compulsory education laws of the State of Oklahoma for students in secondary education. This definition includes both public schools and private non-boarding schools.
- d. *Trade or technical school*: A secondary or higher education facility primarily teaching usable skills that prepares students for jobs in a trade or in industry, construction, or commerce, and meeting all applicable state requirements for a facility of its type.

5. Health care facility: These uses are characterized by activities focusing on medical services, particularly licensed public or private institutions that provide primary health services and medical or surgical care to persons suffering from illness, disease, injury, deformity, or other physical or mental conditions. Accessory uses may include but are not limited to laboratories, outpatient, or training facilities. Specific use types include, but are not limited to:

- a. *Medical office or clinic*: An establishment primarily engaged in furnishing, on an outpatient basis, chiropractic, dental, medical, surgical, medical imaging, or other services to individuals, including the offices of chiropractors, physicians, dentists, and other health practitioners, medical and dental laboratories, and outpatient care facilities. Patients are not kept overnight.
- b. *Hospital*: A building or portion thereof for the accommodation of sick, injured, or infirm persons. Services include the keeping of patients overnight.
- c. *Micro or Specialty Hospital*: These medium-scale facilities (20,000 to 50,000 square feet) offer emergency medicine and specialty medical services, including in-patient procedures with up to 15 short-stay beds.

6. Parks and recreation: These uses focus on natural areas, consisting mostly of vegetative landscaping including public outdoor recreation, community gardens, or public squares. There tends to be few structures. Accessory uses may include but are not limited to clubhouses, playgrounds, maintenance facilities, and concessions. Specific use types include, but are not limited to:
  - a. *Arboretum or botanical garden*: A public or private facility for the demonstration and observation of the cultivation of flowers, fruits, vegetables, or ornamental plants.
  - b. *Campground*: A parcel of ground upon which two or more campsites are located, established, or maintained for occupancy by camping units of the public as temporary living quarters for recreation, education, or vacation purposes.
  - c. *Community playfields and parks*: A tract of land owned by a governmental or quasi-governmental entity and available to the public for recreational purposes, including indoor recreational facilities, swimming pools, playgrounds, and athletic fields.
7. Telecommunication facility: This use category transmits analog or digital or information amongst points using electromagnetic signals via antennas, microwave dishes, and similar structures. This use category does not include small wireless facilities as defined by State law. Supporting equipment includes buildings, shelters, cabinets, towers, and electrical equipment. Specific use types include:
  - a. *Freestanding tower*: A structure (includes monopoles and guyed and lattice construction steel structures) in a fixed location used as an antenna or to support antennas for the primary purpose of transmitting and/or receiving electronic signals.
  - b. *Building or tower-mounted antenna*: A physical device that is attached to an existing freestanding tower, building or other structure through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received.
  - c. *Broadcasting, transmitting, or recording studio*: A building or portion of a building used as a place for radio or television broadcasting or recording.
8. Transportation facility: This category includes facilities that receive and discharge passengers and freight. Accessory uses include but are not limited to freight handling areas, concessions, offices, parking, and maintenance and fueling facilities. Specific use types include but are not limited to:
  - a. *Airport*: A place where aircraft can land and depart, usually equipped with landing field facilities for refueling and repair, and various accommodations for passengers.
  - b. *Bus and passenger train terminal*: Any premises for the transient housing or parking of motor-driven buses or trains and the loading and unloading of passengers.
  - c. *Helipad*: a small, designated area, usually with a prepared surface, on a heliport used for landing, or parking of helicopters temporarily.
  - d. *Railroad*: Areas for transferring passengers or goods on trains along rails/tracks, which may include equipment storage or maintenance, terminals, fueling, and accommodations for passengers.
9. Utility: This use category includes public or private utilities, which are infrastructure services providing regional, community-wide, or neighborhood services. Ancillary uses

may include, but are not limited to control, monitoring, data, or transmission equipment, and structures.

- a. *Utility facility, major*: A service of a regional nature that normally entails the construction of new buildings or structures, and that typically has employees on the site on an ongoing basis. Examples include, but are not limited to, water works, reservoirs, power plants, and waste treatment plants.
- b. *Utility facility, minor*: A service that is necessary to support development within the immediate vicinity and that involves only minor structures. Employees typically are not located at the site on an ongoing basis. Examples include, but are not limited to utility lines, electric transformer stations; gas regulator stations; communication buildings; and well, water, and sewer pumping stations.

### C. Commercial Uses.

1. Agriculture: Use of land for farming, ranching, dairying, pasturage, horticulture, animal and poultry husbandry, and associated uses. Ancillary uses such as harvesting, sorting, boxing, composting, etc. is expected if they are secondary to that of normal agricultural activities.
  - a. *Agriculture, animal raising (except hogs)*: The keeping of animals for commercial purposes or for personal use of the owner or occupant. Examples include, but are not limited to beef ranches, chicken farms, dairy farms, sheep grazing, etc. Except the uses shall not include the commercial feeding of swine or other animals, stockyards or commercial feed lots.
  - b. *Agriculture, crops*: The cultivation of agricultural products such as wheat, forage, fruit trees, canes, annual or perennial vegetables or cut flowers grown for home consumption, or commercial sale.
  - c. *Confined feeding operations*: A nontraditional, noncustomary and intensive agricultural operation including commercial feed pens, poultry ranch, or other intensive agricultural activities where livestock is concentrated in enclosures of such limited size that the major portion of the necessary food supply for the livestock must be imported. Examples include commercial feedlots, concentrated animal feeding operation (CAFO), and stockyards.
  - d. *Horticulture*: The cultivation and storage of horticultural and floricultural specialties such as flowering plants, shrubs, trees, forbs, and annual bedding plants intended for ornamental or landscaping purposes.
  - e. *Retail, farm products sold on premises*: The operation of a retail stand for the display and sale of products produced on the premises or on other property owned or leased by the vendor. The stand must not be located in the right-of-way and shall not exceed 200 square feet in area.
2. Animal sales and services: Animal sales and services uses, not incidental to agricultural uses, that involve the selling, boarding, or care of animals on a commercial basis. Related ancillary uses may include confinement facilities for animals and storage areas. Specific use types include, but are not limited to:
  - a. *Animal care (Indoor)*: Building or land uses, designed or arranged for the care of animals without outdoor activity. Includes animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter, cattery, kennel, and doggy day care.

- b. *Animal care (Outdoor)*: Building or land used, designed, or arranged for the care of animals that includes overnight and outdoor activity. Includes animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter, cattery, kennel, and doggy day care.
- c. *Animal pet shop, retail*: A retail establishment offering small animals, fish, or birds for sale as pets and where all such creatures are housed within the building.
- d. *Animal training school*: A facility that specializes in the training of household animals. Indoor runs only.

3. Food and beverage service: Food and beverage service businesses serve prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and indoor storage. Specific use types include, but are not limited to:

- a. *Bar/nightclub*: A structure or part of a structure used primarily for the sale or dispensing of alcoholic beverages or liquor by the drink. Dancing and musical entertainment are permitted.
- b. *Catering service*: An establishment that prepares food for service at a remote site.
- c. *Fruit and vegetable market*: A building, structure, or tract of land which may include open-air stands that is used for the primary purpose of retail sales of fresh fruits, vegetables, flowers, herbs, or plants. This definition can also include the accessory sales of other unprocessed foodstuffs, home processed food products, baked goods, and homemade handicrafts in accordance with State law.
- d. *Restaurant (without drive-through)*: An area or structure in which the principal use is the preparation and sale of food and beverages. Operations may or may not include outdoor seating areas or outdoor food service, but the operation does not include a drive-through or drive-in facility.
- e. *Restaurant (with drive-through or drive in)*: An eating/drinking establishment in which the principal business is the sale of foods or beverages to the customer in a ready-to-consume state and in which the design or method of operation of all or any portion of the business allows food or beverages to be served directly to the customer in a motor vehicle without the need for the customer to exit the motor vehicle.
- f. *Micro food and beverage production*: An establishment that produces, bottles, and/or distributes limited quantities of food or beverages that are not part of a restaurant type use. Typical examples include, but are not limited to microbreweries, cideries, brewpubs, wine blending, and limited food production.

4. Office: These uses are characterized by activities generally focusing on business or professional services, but not medical or health care related. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building. Specific use types include, but are not limited to:

- a. *Office, business or professional*: An establishment that provides executive, management, administrative, or professional services, but not involving the sale of merchandise except as incidental to a permitted use. Typical examples include, but are not limited to, real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices.
- b. *Research laboratory*: A facility for conducting medical or scientific research, investigation, testing, or experimentation; however, this does not include facilities for the manufacture or sale of products, except as incidental to the main purpose

of the laboratory. This definition includes electronic and telecommunications laboratories, including assembly.

5. Recreation and entertainment, outdoor: Outdoor recreation and entertainment uses provide recreation or entertainment activities outside of an enclosed environment. Accessory uses may include, but are not limited to, concessions, snack bars, parking, and maintenance facilities. Specific use types include, but are not limited to:
  - a. *General outdoor recreation, lighted*: Intensely developed, and externally lit, recreational uses such as amusement parks, miniature golf courses, golf courses, commercial tennis courts, batting cages, skateboard or skate parks or courses, bicycle motocross courses, water parks or slides, drive-in movie theaters, courses for paramilitary games, and archery facilities.
  - b. *General outdoor recreation, unlighted*: Same as above, except no lighting of fields or premises allowing operation and use at night.
  - c. *Major entertainment facility*: A large open or partially enclosed space used for games or major events, and partly or entirely surrounded by tiers of seats for spectators, includes arenas and stadiums.
  - d. *Racetrack (auto, dog, or horse)*: A delineated course where animals or vehicles are entered in competition against one another or against time, including tracks used only in the training of animals.
  - e. *RV campground/park*: Any plot or parcel of real estate upon which two or more recreational vehicles sites are located, established, maintained, or occupied for dwelling or sleeping purposes for the public as temporary (not to exceed 14 consecutive days) living quarters for recreation or vacation purposes regardless of whether a charge is made for such accommodation.
  - f. *Shooting range*: An outdoor facility wherein firearms are shot at targets under strict rules of conduct and safety.
  - g. *Zoo*: An area, building, or structures that contain wild or domesticated animals on exhibition for viewing by the public.
6. Recreation and entertainment, indoor: Indoor recreation and entertainment uses provide recreation or entertainment activities within an enclosed environment. Accessory uses may include concessions, snack bars, parking, and maintenance facilities. Specific use types include, but are not limited to:
  - a. *Art gallery or museum, private*: Any permanent institution for the collection and display of objects of art or science, not operated by a public or quasi-public agency.
  - b. *Fitness and recreational sports center*: A facility primarily featuring equipment for exercise and other active physical fitness and/or recreational sports activities, such as swimming, skating, racquet sports, aerobic dance, gymnasium facilities, indoor soccer, yoga, and other kinds of sports and fitness facilities.
  - c. *General indoor recreation*: An establishment offering entertainment, game playing, or similar amusements to the public within an enclosed building. This shall include, but is not limited to, arcades, bowling alleys, billiard parlors, bingo parlors, laser tag parlors, and indoor shooting ranges.
  - d. *Major entertainment facility*: A space designed to accommodate activities that generally draw 1,000 persons or more to specific indoor events or shows. Activities are generally of a spectator nature. Examples include auditoriums, performing arts centers, arenas, and coliseums. Accessory uses may include restaurants, bars, concessions, parking, and maintenance facilities.

- e. *Movie theatre*: An indoor theater for the showing of motion pictures.
- f. Sexually oriented business, include the following:
  - i. *Adult amusement or entertainment*: Amusement or entertainment that is distinguished or characterized by an emphasis on acts or material depicting, describing, or relating to sexual conduct or specified anatomical areas, including but not limited to topless or bottomless dancers, exotic dancers, strippers, or similar entertainment.
  - ii. *Adult bookstore*: An establishment wherein 10 percent or more of its display area consists of books, film, videos, magazines, periodicals, games, novelties, or other materials that are depicting or describing sexual conduct or specified anatomical areas.
  - iii. *Adult motion picture theater, picture arcade, or mini motion picture theater*: Any enclosed building presenting material (still or motion pictures) distinguished or characterized by an emphasis on depicting or describing sexual conduct or specified anatomical areas.

7. *Personal services*. Establishments that provide individual services related to personal needs directly to customers at the site of the business, or that receives goods from or returns goods to the customer, which have been treated or processed at that location or another location. Specific use types include, but are not limited to:

- a. *Dry cleaning and laundry service*: An establishment where laundry or dry cleaning is dropped off by customers or picked up by customers and that also includes on-site laundry and/or cleaning activities, including related operation of equipment and machinery.
- b. *Financial institution, with drive-thru*: An establishment that provides banking services, lending, or similar financial services to individuals and businesses. This definition includes those institutions engaged in the on-site circulation of cash money and check-cashing facilities but shall not include bail bond brokers. The establishment has a drive-through facility.
- c. *Financial institution, without drive-thru*: Same as the above use, but with no drive-through facility
- d. *Funeral services*: An establishment for the preparation of the deceased for burial and rituals connected with, and conducted before, burial or cremation.
- e. *General personal services*: An establishment that provides care, advice, aid, maintenance, repair, treatment, or similar semi-technical, technical, or experienced assistance, other than the practice of a profession and wholesale or retail sale of goods. Examples include, but are not limited to, shoe repair, beauty and barber shops, massage therapy, tanning salons, tattoo and/or piercing salons; and dry-cleaning pick-up and drop-off shops that do not conduct dry cleaning on the premises. This can also include domestic animal grooming facilities that do not provide on-site kenneling beyond what is necessary to provide the grooming service.
- f. *Instructional services*: A specialized instructional establishment that provides on-site training of business, artistic, or commercial skills. Examples include, but are not limited to, fine arts schools, computer instructional services, and driving schools. This use does not include establishments that teach skills that prepare students for jobs in a trade which are classified under trade/technical schools.

*g. Personal storage.* A building or group of buildings in a controlled access compound that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of customers' goods or wares.

8. *Retail (sales):* Establishments engaged in the sale, lease, or rent of new or used products to the public. No outdoor display of merchandise is permitted unless specifically authorized by this UDC. Accessory uses may include offices, parking, storage of goods, and assembly, repackaging, or repair of goods for onsite sale. Specific use types include, but are not limited to:

- a. *Alcoholic beverages, retail sales.* A retail establishment, such as a liquor store, licensed to sell alcoholic beverages such as beer, wine, and liquor. No on-site consumption is allowed.
- b. *Convenience store with gas sales:* An establishment engaged in the sale of convenience goods, such as but not limited to pre-packaged food items, tobacco, over-the-counter drugs, periodicals, and other household goods; and which also provides the retail sale of petroleum products that are dispensed through gasoline pumps and other supplies for motor vehicles.
- c. *Horticulture nursery sales:* Land or buildings used to raise flowers, shrubs, trees, and other plants for retail sale.
- d. *Open-air or street market:* Premises intended for individual vendors who display and sale merchandise in small quantities including but not limited to household goods, appliances, tools, food, and arts and crafts. The display and sale of merchandise may be indoor or outdoor in facilities including but not limited to building, open air, or partially enclosed booths or stalls. This definition does not include retail sidewalk sales or garage sales.
- e. *Retail, minor:* Retail establishments not elsewhere classified that provide goods directly to the consumer, under 15,000 square feet in gross floor area, including but are not limited to: Apparel shops, appliance sales, auto parts store, bait shop, bakeries, bookstores, camera shops, clothing stores, convenience stores without gas pumps, department stores, electronic stores, factory outlet stores, florists, grocery stores, furniture stores, hardware and building.
- f. *Retail, major:* Retail establishments not elsewhere classified that provide goods directly to the consumer, over 15,000 square feet in gross floor area, and/or has a drive through, including but are not limited to: Apparel shops, appliance sales, auto parts store, bait shop, bakeries, bookstores, camera shops, clothing stores, convenience stores without gas pumps, department stores, electronic stores, factory outlet stores, florists, grocery stores, furniture stores, hardware and building.

9. *Vehicles and equipment:* Includes a broad range of uses for the maintenance, sale, or rental of vehicles and related equipment. Specific use types include, but are not limited to:

- a. *Boat and/or RV storage:* A location where boats and/or recreational vehicles are stored for 72 hours or more.
- b. *Car wash:* A facility for the cleaning of automobiles, either self-serve facilities or employees to perform washing operations.
- c. *Parking structure.* A structure designed with one (1) or more levels partially or fully enclosed, used for the parking of motor vehicles. The facility may be above, below, or partially below ground. This use does not include private carports or garages for household use.

- d. *Vehicle sales and rental*: An establishment engaged in the display, sale, leasing, or rental of new or used motor vehicles. Vehicles included, but are not limited to, automobiles, light trucks, vans, trailers, recreational vehicles, motorcycles, boats, personal watercraft, utility trailers, all-terrain vehicles, and mobile homes.
- e. *Vehicle service and repair, heavy*: An establishment engaged in the major repair and maintenance of automobiles, motorcycles, trucks, vans, trailers, recreational vehicles, boats, mobile homes, or snowmobiles. Services include engine, transmission, or differential repair or replacement; body, fender, or upholstery work; and painting.
- f. *Vehicle service and repair, light*: An establishment engaged in light maintenance activities such as engine tune-ups; oil change or lubrication; carburetor cleaning; muffler replacement; brake repair; tire shops; and detailing and polishing. Vehicle parts are sold and are ordinarily installed on the premises. No overnight, outside storage of vehicles or materials is allowed.

10. **Visitor Accommodation**: facilities engaged in the for-profit provision of lodging to transient visitors for a defined period.

- a. *Bed and breakfast*: A small lodging establishment that provides overnight accommodation and meal(s) to travelers.
- b. *Hotel or motel*: Lodging services that provide room accommodations for travelers and may include food, drink, and other sales and services intended for the convenience of guests and the broader public.
- c. *Short term rental*: Lodging services where the property owner rents short term (no more than 30 consecutive days) either entire units or rooms of a residential home or unit. This does not permit by the hour rental of pools or other outdoor features (pergolas, cabanas, hot tubs, etc.), exclusive of the rental of the residential home or unit.

#### D. Industrial Uses.

- 1. *Industrial service*: An establishment engaged in the repair or servicing of agricultural, industrial, business, or consumer machinery, equipment, or products. Specific use types include, but are not limited to:
  - a. *Crematorium*: A location containing properly installed, certified apparatus intended for use in the act of cremation, not including a funeral parlor or public area.
  - b. *Fossil fuel storage*: A permanent facility for the storage of fossil fuels and fossil fuel byproducts including, but not limited to, gasoline, diesel fuel, and motor oil. Uses include those that store such products for transportation. Storage of gaseous products such as liquefied natural gas (LNG), compressed natural gas (CNG), butane, and propane for immediate use by the final consumer are included in this definition.
  - c. *General industrial service*: Establishments engaged in the storage, repair, or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or byproducts. Examples include but are not limited to construction materials storage; welding shops, machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; repair or storage of heavy machinery; heavy truck servicing and repair; aircraft servicing and repair; tire retreading or recapping.

2. Manufacturing and production: An establishment engaged in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, constructed, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Custom industry is included, meaning places primarily engaged in the on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment. Goods are generally not displayed or sold on site, but if so, such activity is an ancillary part of sales. Specific use types include, but are not limited to:
  - a. *Assembly, light*: An establishment engaged only in the assembly of goods. No manufacturing of parts occurs. Goods are shipped to the establishment, assembled, packaged, and reshipped.
  - b. *Manufacturing, light*: An establishment engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing. The manufacture, assembly, research, or processing of products and goods occurs entirely within an enclosed structure requiring no outdoor industrial wastewater treatment system, and producing no airborne emissions, objectionable noise, glare, odor, vibrations, smoke or dust associated with the industrial operation. Outdoor storage of raw materials and products is not permitted. Examples include, but are not limited to airplane, automobile, or truck assembly, remodeling, or repair; bottling works; boat building, computer chip manufacturing; machine or blacksmith shops; metalworking or welding shops; paint shops; and printing and publishing shops.
  - c. *Manufacturing, heavy*: Uses that do not meet the light manufacturing criteria set forth above. These uses have the potential to produce noise, vibrations, smoke, dust, and odor that have the potential to cause adverse impacts. Outdoor storage of raw materials and products is permitted with proper screening. Examples include but are not limited to refining or initial processing of raw materials; rolling, drawing, or extruding of metals; asphalt batching plants; sawmills; meat slaughtering or packing house; and manufacture or packaging of cement products, concrete batch plants, feed, fertilizer, flour, glue, paint, petroleum products, soap, turpentine, varnish, charcoal, or distilled products.
  - d. *Agriculture, hog raising*: The raising or breeding of hogs or pigs.
  - e. *Agriculture, animal processing*: Processing of animals for meat and animal waste processing including offal, bones, and hides. Examples include abattoir, slaughterhouse and butchers for personal consumption (retail sales or small-scale butcher shops are not included in this use definition).
3. Mining and processing: Extractive operations involving certain mineral processing and manufacturing operations, which directly utilize minerals, at or near the source.
  - a. *Mining and processing - minerals and raw materials*: Places primarily devoted to surface or subsurface mining, excavation, or extraction of metallic and nonmetallic materials with essential on-site processing of such products. Typical uses are a borrow pit, sandpit, quarry, or mine.
  - b. *Mining and processing - oil and gas*: Places primarily devoted to subsurface mining of oil and gas. Typical uses are oil and gas drilling operations.

4. **Warehouse and freight movement:** Establishments engaged in the storage or delivery of goods. Accessory uses may include offices, truck fleet parking, and maintenance areas. Specific use types include, but are not limited to:
  - a. *Motor freight terminal:* A facility for freight pickup, distribution, and storage. This may include intermodal distribution facilities for truck or shipping transport.
  - b. *Office warehouse:* A structure containing both offices and a warehouse for storing products associated with the business. This use is for plumbers, electricians, and similar tradespeople for the officing, storage and operating of small operations without retail sales to the public.
  - c. *Storage yard:* Any lot or portion of a lot that is used for the sole purposes of the outdoor storage of fully operable motor vehicles, construction equipment, construction materials, or other tangible materials and equipment.
  - d. *Warehouse:* A structure used for storing materials, goods, or property.
  - e. *Wholesale establishment:* An establishment primarily engaged in the sale or distribution of goods and materials in large quantity to retailers or other businesses for resale to individual or business customers. Manufacturing, resource extraction, bulk storage of hazardous materials, or scrap or salvage operations are excluded.
5. **Waste and salvage:** Waste and salvage firms receive solid or liquid wastes from others for disposal on the site or for transfer to another location. The category includes uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. Waste and salvage uses also include uses that receive hazardous wastes from others. Accessory uses may include recycling of materials, offices, and repackaging and shipment of byproducts. Specific use types include, but are not limited to:
  - a. *Auto salvage yard:* Any lot upon which two or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license or registration, have been placed for the purpose of obtaining parts for recycling or resale.
  - b. *Scrap operations:* Places of business primarily engaged in the storage, sale, dismantling or processing of used or waste materials that are not intended for reuse in their original form. Typical uses include junk yards, salvage yards or auto salvage yard.
  - c. *Recycling center (outdoor/indoor):* A facility in which recoverable resources such as newspapers, glassware, plastics, and metal cans are recycled, reprocessed, and treated to return such products to a condition in which they can again be used for production. Not a junkyard or salvage yard.
  - d. *Solid waste disposal:* A method or system of solid waste disposal in which the waste is disposed or buried in layers, compacted by earth or disposed by incineration.

## Section 306. Accessory Structures and Uses

### A. Purpose

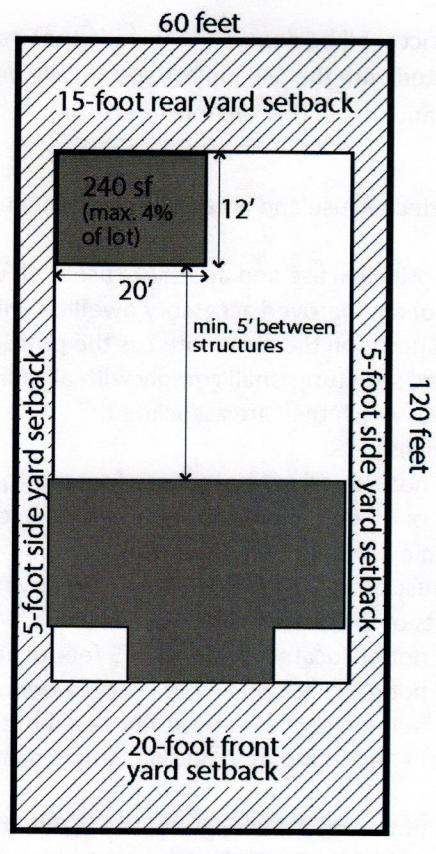
This section allows the establishment of accessory uses that are incidental and subordinate to the principal use.

**B. Approval**

All principal uses allowed in a zoning district shall be deemed to include those accessory uses, structures, and activities typically associated with the use, unless specifically prohibited in this UDC. Accessory uses are subject to the standards in this section.

**C. General Standards**

1. Same ownership required: The principal use and accessory use shall be under the same ownership.
2. Same utility meter required: The principal use and accessory use shall utilize the same utility meter, with the exception of an approved accessory dwelling unit.
3. Same lot: The accessory use shall occur on the same lot(s) as the principal use.
4. Compliance: All accessory uses and structures shall comply with all standards of the UDC applicable to the principal use with which they are associated.
5. Accessory buildings in Residential districts:
  - a. Accessory buildings shall not exceed in total square footage 4 percent of the square footage of the lot or 10 percent of the square footage of the house; for a total lot coverage of up to a maximum of 40 percent.
  - b. All accessory buildings must comply with side yard and rear yard setback and building line requirements of the district within which it lies.
  - c. Accessory buildings shall not be located closer than 5 feet to any other structure.
  - d. Accessory buildings shall not encroach on any drainage easements.
  - e. Accessory buildings shall not encroach on any utility easements without an approved revocable permit and foundation on skids (moveable, non-permanent foundation).
  - f. Accessory buildings shall not exceed the height of the residential structure, provided that an additional setback from the front and rear setback requirements of 1 foot for every foot of height over 10 feet is required. (Note: No accessory building shall exceed a maximum of 30 feet in height.)
  - g. Accessory buildings shall not have uncoated metal on the exterior.



TYPICAL R-1 LOT: 6,000 SF

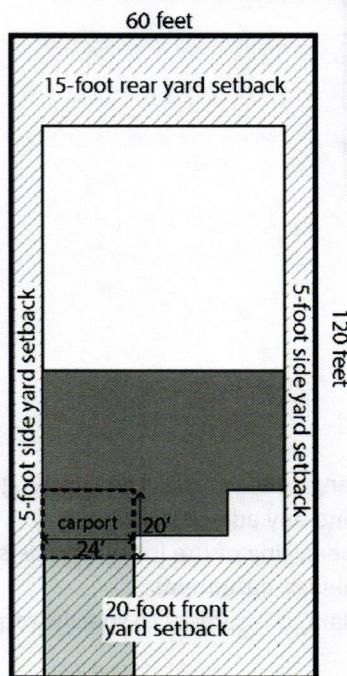
#### D. Additional Standards to specific Accessory Structures

1. Book Exchange Box
  - a. Prohibited in the public right-of-way, unless an approved revocable permit exists.
  - b. Must be located so that it does not impede pedestrian access or circulation or create an unsafe condition.
  - c. Limited to 60-inches high, 36-inches wide and deep.
  - d. Must be constructed in such a manner that the contents are protected from the elements.
  - e. Enclosures shall be sized and arranged such that no person or child is able to enter.
2. Food Pantry Box
  - a. Must be located in non-residential districts, or as an accessory to an allowed Place of Assembly use in any district.
  - b. Prohibited in the public right-of-way.
  - c. Must be located so that it does not impede pedestrian access or circulation or create an unsafe condition.
  - d. Limited to 60-inches high, 36-inches wide and deep.
  - e. Must be constructed in such a manner that the contents are protected from the elements.

- f. Enclosures shall be sized and arranged such that no person or child is able to enter.

### 3. Carport

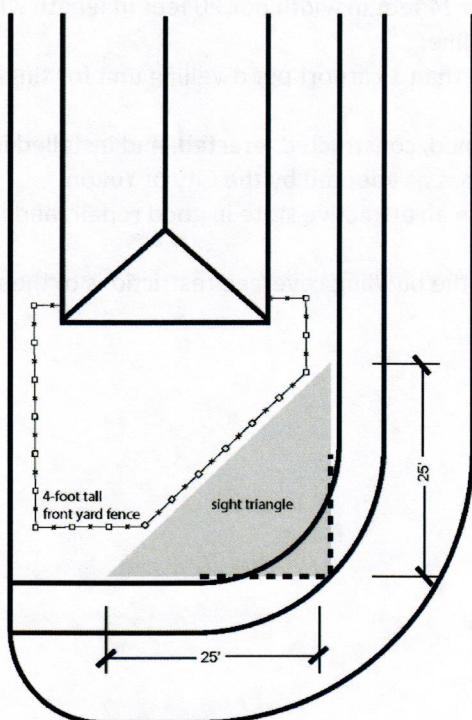
- a. All carports must comply with side yard and rear yard setback requirements of the district within which it lies. A carport may extend beyond the required front yard setback provided that of the front yard setback no part of the carport may extend into the 5 feet nearest the street and no part thereof extends into any sight triangle.
- b. All carports shall be permanently open on 2 sides from the grade surface to the eave line provided that all carports that extend into the front yard setback shall be permanently open on 3 sides from grade surface to the eave line.
- c. All carports shall be located over a permanent hard surface drive.
- d. Carports constructed in conjunction with dwelling shall not exceed 18 feet in width for a single garage and/or driveway or parking space and shall not exceed 24 feet in width for a double garage and/or driveway.
- e. No carport shall exceed 24 feet in width nor 20 feet in length when measured from eave line to eave line.
- f. There shall be no more than 1 carport per dwelling unit for single-family developments.
- g. Carports shall be designed, constructed, erected, and installed in accordance with the codes and regulations as adopted by the City of Yukon.
- h. Carports shall be kept in an attractive state in good repair, and in a safe and sanitary condition.
- i. Carports contribute to the building coverage restrictions of the zoning district.



TYPICAL R-1 LOT: 6,000 SF

#### 4. Fences and Walls

- a. Rear yard fences shall:
  - i. Be constructed, designed, and arranged to provide visual separation of uses, irrespective of vegetation.
  - ii. Not be less than four (4) feet nor more than eight (8) feet in height.
  - iii. Be constructed with all braces and supports on the interior.
- b. Front yard fences shall:
  - i. Be four (4) feet or less in height, except on corner lots.
  - ii. On any corner lot on which a front and side yard is required, no wall, fence, sign, structure, or any plant growth which obstructs sight lines at elevations between two (2) feet and six (6) feet above the crown of the adjacent roadway shall be placed or maintained within a triangle formed by measuring from the point of intersection of the front and exterior side lot lines a distance of twenty-five (25) feet along said front and side lot lines and connecting the points so established to form a sight triangle on the area of the lot adjacent to the street intersection.



- c. The installation of a fence shall not change and/or affect the grading and/or drainage of storm water from the lot and any adjacent lots.
- d. Fences shall be located inside the property line of the lot the fence is installed on.
- e. Fences shall not be installed in any drainage easements.
- f. If the property is located in the floodplain, it is subject to specific requirements of the City of Yukon floodplain permit.
- g. The screening wall or fence shall be maintained by the owner of the lot.
- h. Fences or screening walls are required to obtain a building permit prior to construction.

5. Mechanical Equipment: to include heating, ventilation, and air condition (HVAC) equipment, electrical generators, and similar equipment.
  - a. Ground mounted mechanical equipment shall not be located in the front yard.
  - b. Roof mounted mechanical equipment shall be screened by the height of the building wall or by a wall or enclosure of sufficient height that mechanical equipment is screened from view by an observer standing on ground level at any place along the property lines of the subject property. The mechanical equipment or wall shall provide a minimum separation as defined by the manufacturer's requirements for the particular mechanical equipment to be screened. The top of the enclosure may be left open.
6. Refuse Containers
  - a. Individual refuse containers should be stored along the interior side or rear yard of the structure, except when moved for pick up.
7. 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 maybe 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 require 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.
    - i. 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).

- ii. 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.
- iii. 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).
- iv. An enclosure gate shall be a minimum inside dimension of 12 feet for the enclosure gate(s) opening is required.
- v. 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.
- vi. 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.
- vii. 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.
- viii. 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 separated 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". i. An area extending for 40 feet in front of the enclosure shall not have a slope greater than four percent.
  - i. 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.
  - ii. 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.
- l. Enclosure floor: The enclosure floor shall extend outward four inches beyond the enclosure walls on a 90 percent compacted base.

- i. 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.
- ii. 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.
- iii. 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.

- i. 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.
- ii. 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.
- iii. 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.
- iv. 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.

- i. 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.
- ii. 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.

- i. 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.
- ii. 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.

8. Swimming Pools and associated equipment
  - a. No private swimming pool or associated equipment may be located within a front yard.
  - b. Pools shall not be placed closer than 5 feet to the primary building.
  - c. Swimming pools and/or pool decks shall not encroach into any utility easements or building setback lines.
9. Wind Turbines (Private)
  - a. Wind turbines may be designed as either vertical or horizontal axis turbines with or without exposed blades, including designs that combine elements of the different types of turbines.
  - b. Wind turbines are subject to the following height restrictions:
    - i. The maximum height of any ground-mounted wind turbine is the maximum height allowed in the district. A taller height may be allowed by variance
    - ii. The maximum height of any wind turbine mounted upon a structure is 15 feet above the height of such structure.
    - iii. Maximum height is the total height of the turbine system, including the tower and the maximum vertical height of the turbine blades. Maximum height therefore is calculated measuring the length of a prop at maximum vertical rotation to the base of the tower. The maximum height of any ground-mounted wind turbine is measured from grade to the length of a prop at maximum vertical rotation.
    - iv. No portion of exposed turbine blades (vertical access wind turbine) may be within 20 feet of the ground. Unexposed turbine blades (horizontal access wind turbine) may be within 10 feet of the ground.
  - c. Ground-mounted wind turbines are permitted only in the rear yard. No part of the wind system structure, including guy wire anchors, may be located closer than 10 feet to any lot line. The tower must be set back from all lot lines equal to the height of the system. No principal buildings may be located within this area.

- d. All wind turbines must be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the wind energy system.

## **E. Additional Standards to specific Accessory Uses**

### **1. Apiary**

- a. These standards do not apply to Agriculturally zoned land.
- b. Permitted only in the rear yard and must be located at least 10 feet from any lot line and the principal building.
- c. Where a colony is located within 25 feet of a lot line, as measured from the nearest point on the hive to the lot line, the beekeeper must establish and maintain a flyway barrier at least six feet in height consisting of a hedge, fence, solid wall, or combination that is parallel to the lot line and extends 10 feet beyond the colony in each direction so that bees are forced to fly at an elevation of at least six feet aboveground level over adjacent lots in the vicinity of the apiary; or elevate the colony six feet above ground level.

### **2. Bar**

- a. Commercial establishments open to the public that serves alcoholic beverages for consumption on the premises but is incidental and subordinate to the principal commercial use.
- b. The accessory use bar must not occupy more than 25 percent of the floor area of the principal commercial use.
- c. The accessory use bar must occupy the same principal building and entrance as the principal commercial use.
- d. If food or beverages are consumed in an outdoor seating/activity area between the hours of 11:00 p.m. and 8:00 a.m., the outdoor seating/activity area shall be separated by a distance of at least 100 feet from the nearest abutting property line of a residential use. Distances shall be measured from the closest edge of the outdoor seating/activity area to the nearest abutting property line of the residential use.

### **3. Home-based Business**

- a. *Area:* The business shall be located within an enclosed dwelling or accessory building and shall be no more than 10% of the primary structure.
- b. *Employees/Residency:* The home occupation shall employ no more than one person who does not reside on the premises. This does not apply to home daycares as licensed by the State.
- c. *Prohibitions:* The following are not allowed:
  - 1. Outdoor display or storage of goods associated with the home occupation.
  - 2. Signs visible from outside the dwelling or accessory building.
  - 3. Wholesale or retail sales of goods.
  - 4. Auto or motorized engine repair, painting, or body work.
  - 5. Barber/beauty shop, hair salon with more than one chair.
- d. *Traffic:* The home-based business must not create greater vehicular or pedestrian traffic than normal for a residential area. The home-based business and any

related activity must not create any traffic hazards or nuisances in public rights-of-way.

- e. **Visitors:** No more than four clients, patients, pupils, or customers are permitted at any given time. Such visits must occur between 7:00am and 7:00pm.

#### 4. Outdoor Sales and Display

- a. Retail establishments and vehicle sales and rental are permitted to have accessory outdoor sales and display of merchandise.
- b. Required parking areas may not be used for outdoor display.
- c. Goods may not be left outside when the establishment is not open, unless adequately secured to prevent theft and vandalism.

4.1. **Permitted outdoor sales and displays:** The following types of outdoor sales and displays are permitted:

- a. Retail establishments and vehicle sales and rental are permitted to have accessory outdoor sales and display of merchandise.
- b. Required parking areas may not be used for outdoor display.
- c. Goods may not be left outside when the establishment is not open, unless adequately secured to prevent theft and vandalism.

4.2. **Prohibited outdoor sales and displays:** The following types of outdoor sales and displays are prohibited:

- a. Retail establishments and vehicle sales and rental are permitted to have accessory outdoor sales and display of merchandise.
- b. Required parking areas may not be used for outdoor display.
- c. Goods may not be left outside when the establishment is not open, unless adequately secured to prevent theft and vandalism.

4.3. **Permitted outdoor sales and displays:** The following types of outdoor sales and displays are permitted:

- a. Retail establishments and vehicle sales and rental are permitted to have accessory outdoor sales and display of merchandise.
- b. Required parking areas may not be used for outdoor display.
- c. Goods may not be left outside when the establishment is not open, unless adequately secured to prevent theft and vandalism.

4.4. **Prohibited outdoor sales and displays:** The following types of outdoor sales and displays are prohibited:

- a. Retail establishments and vehicle sales and rental are permitted to have accessory outdoor sales and display of merchandise.
- b. Required parking areas may not be used for outdoor display.
- c. Goods may not be left outside when the establishment is not open, unless adequately secured to prevent theft and vandalism.

4.5. **Permitted outdoor sales and displays:** The following types of outdoor sales and displays are permitted:

- a. Retail establishments and vehicle sales and rental are permitted to have accessory outdoor sales and display of merchandise.
- b. Required parking areas may not be used for outdoor display.
- c. Goods may not be left outside when the establishment is not open, unless adequately secured to prevent theft and vandalism.

4.6. **Prohibited outdoor sales and displays:** The following types of outdoor sales and displays are prohibited:

- a. Retail establishments and vehicle sales and rental are permitted to have accessory outdoor sales and display of merchandise.
- b. Required parking areas may not be used for outdoor display.
- c. Goods may not be left outside when the establishment is not open, unless adequately secured to prevent theft and vandalism.

### Section 307. Temporary Uses

This section authorizes the Development Services Director or designated representative, to allow certain temporary uses of a limited duration, which comply with the specific use standards of this section in addition to all other applicable provisions of this UDC. This section is intended to ensure that such uses do not negatively affect adjacent land, are discontinued upon the expiration of a set time, and do not involve the construction of permanent buildings or structures.

#### A. Farmer's Market

1. *Management plan.* Required as part of the temporary use permit application that demonstrates the following:
  - a. The on-site presence of a representative of the farmers' market during hours of operation who directs the operations of vendors participating in the market.
  - b. An established set of operating rules addressing the governance structure of the market, hours of operation, and maintenance when open to the public.
  - c. A general site plan of vendor stalls, visitor facilities, such as any seating areas and restrooms, and all ingress and egress points to the site.
  - d. Provision for waste removal.
  - e. The days and hours of internal operation, including vendor set-up and take-down times.
2. *Parking.* Off-street parking is required to be provided according to Article 5 of this UDC, except parking shall not be required in the Urban Core Overlay district.

#### B. Temporary Outdoor Events

1. Outdoor carnivals, concerts, festivals, revivals, and similar gatherings for a maximum of thirty (30) days per lot per year and no more than ten (10) consecutive days per occurrence. City-sponsored gatherings are exempt from the maximum days restriction.
2. Must meet all other applicable requirements of Code of Ordinances, City of Yukon, Oklahoma

#### C. Seasonal Sales

1. Outdoor Seasonal sales are allowed for a maximum of ninety (90) days per lot per year.
2. Sales must not take place in any required parking space.

#### D. Sidewalk Sales

1. Any person who owns or operates a street-level retail business within the Urban Core Overlay District shall be allowed to display for sale any goods, wares, or merchandise on the sidewalk directly in front of the business, or provide seating for customers, provided that:
  - a. A five (5) foot clear passage is maintained along the sidewalk from curb edge to the beginning of the sidewalk display.
  - b. Display and sales occur when the retail business is open.
  - c. All fixtures used for display and sales are removable and no such fixtures remain on the sidewalk when the retail business is closed.

**E. Subdivision Sales Office or Model Home**

1. One temporary sales office for use in development of a new subdivision may be established and operated within any platted subdivision, and then only upon a platted lot within the boundaries of that subdivision for a period not exceeding three years from the date the plat of such subdivision is recorded.
2. Phased development as part of an overall subdivision development plan by a single developer shall be considered a subdivision for the purpose of this Section.
3. A subdivision sales office may be in a permanent residential structure and may not be used to facilitate sales in any other subdivision.
4. Model homes may be utilized as a temporary subdivision sales office as described above.
5. If the garage is utilized as a temporary subdivision sales office the garage shall be converted back to a garage when the model home is no longer needed or sold.

**Section 308. Use Standards**

This section defines the standards for certain uses described in Section 305.

**A. Limitation on Use**

1. *Application of regulations in districts authorized.* No land, building, structure, or improvement shall be used and no building, structure, or improvement shall be made, erected, constructed, moved, altered, enlarged, or rebuilt which is designed, arranged, or intended to be used or maintained for any purpose or in any manner except in accordance with the use, height, area, coverage, yard, space, and other requirements established in the district in which such land, building, structure, or improvement is located, and such use is authorized, except as provided by Article 8, Nonconformities.
2. *Application of regulations to the uses of a more restricted district.* Whenever the specific district regulations pertaining to one district permit the uses of a more restricted district, such uses shall be subject to the conditions set forth in the regulations of the more restricted district, unless otherwise specified.
3. *Height exceptions.* The following structures shall not be subject to the height limitations of the district in which they are located:
  - a. Farm buildings not intended for human occupancy.
4. *Location of package stores, mixed beverage establishments, bottle clubs and beer and wine establishments.* The location of a retail package store, mixed beverage establishment, bottle club, and beer and wine establishment shall be subject to the zoning ordinances of the city and according to Canadian County and State law.

**B. Conditional Uses**

Where the letter 'C' appears in the Permitted Use Table found in Section 304 these uses in said districts shall be subject to conditional review and approvals. Certain uses of land or buildings exhibit unique characteristics that necessitate the application of special standards to coexist with adjacent and nearby uses, and the neighborhood or land use areas in which they are to be placed. Approvals processes for Conditional Uses are detailed in Article 7. Administration Section 709.

Conditional Uses.

1. *Accessory dwelling unit*

- a. Shall be located on corner lot, and/or
- b. Located on lot with alley access
- c. And the accessory dwelling unit shall either take access from the alley, if present, or shall utilize existing driveway cut without widening. If located on a corner lot, access may be taken from the intersecting (opposite) street.
- d. No more than one accessory dwelling unit is allowed per lot.

**2. Animal Care (Indoor)**

- a. No overnight activity associated with the care of animals is allowed. For the purposes of this section "overnight" constitutes the hours between 10 PM and 7 AM.
- b. Outdoor activity, including but not limited to, walking and bathing of animals, is permitted during the day, provided that no more than 4 animals are engaged in outdoor activity at a time, and the outdoor facilities are located at least 50-feet from any residence. For the purposes of this section "during the day" constitutes the hours between 7 AM and 10 PM.

**3. Animal Care (Outdoor)**

- a. The boarding of large animals is limited to clinics on parcels of at least five acres.
- b. Outdoor boarding is limited to short-term care incidental to the treatment clinic or primary use and must be a secondary use of the property.
- c. Outdoor runs, kennels and boarding areas shall not be located closer than 150-feet to property lines.

**4. Arboretum or botanical garden**

- a. The site shall front or have direct access to a street meeting design standards for at least a collector street.
- b. No off-street parking or loading space shall be located closer than 20 feet to any lot line abutting a residential district.

**5. Art gallery or museum, public**

- a. The site shall front or have direct access to a street meeting design standards for at least a collector street.
- b. No off-street parking or loading space shall be located closer than 20 feet to any lot line abutting a residential district.

**6. Bar**

- a. Public entrance doors of bars may not be located within 50-feet of any residentially zoned property, as measured in a straight line from the nearest point on the residentially zoned lot (not including right-of-way) to the nearest public entrance door of the bar or the nearest portion of any outdoor seating/dining area, whichever is a greater setback.
- b. Shall not be located within 300-feet of any public or private school or church property primarily and regularly used for worship services and religious activities unless a waiver meeting State Statutes is obtained. Required

separation distance shall be measured from the nearest property line of such public or private, school or church use to the nearest perimeter wall of the bar.

- c. Shall not be located within 300 feet of any sexually oriented business. Required separation distance shall be measured in a straight line between the nearest perimeter walls of the portions of the buildings occupied sexually oriented business.
- d. If food or beverages are consumed in an outdoor seating/activity area between the hours of 11:00 p.m. and 8:00 a.m., the outdoor seating/activity area shall be separated by a distance of at least 100 feet from the nearest abutting property line of a residential use. Distances shall be measured from the closest edge of the outdoor seating/activity area to the nearest abutting property line of the residential use.

*7. Building or tower mounted antenna*

- a. An antenna may not extend more than 20 feet above the highest point of the building, or, if located on an architectural feature such as a steeple or bell tower, may not protrude above that structure; provided, however, that the board of adjustment may modify such requirements through the variance request process.
- b. The antenna must comply with all applicable Federal Communications Commission and Federal Aviation Administration regulations.
- c. The antenna must comply with all applicable building codes.
- d. Antennas may be attached to existing towers and to city-owned buildings and structures. When an existing tower must be modified to accommodate the collocation of antennas, the tower may not result in a height increase of more than 30 feet above the height of the existing tower.

*8. Campground*

- a. The site shall front or have direct access to a street meeting design standards for at least an arterial street.
- b. The site shall not abut, nor be within 300-feet of a residential district.

*9. Carwash*

- a. The site shall front or have direct access to a street meeting design standards for at least a collector street.
- b. No building shall be located closer than 20 feet to any lot line abutting a residential district.

*10. Childcare center*

- a. The site shall front or have direct access to a street meeting design standards for at least a collector street.
- b. No off-street parking or loading space shall be located closer than 20 feet to any lot line abutting a residential district.

**11. Convenience store with gas sales**

- a. The site shall front or have direct access to a street meeting design standards for at least a collector street.
- b. No building shall be located closer than 20-feet to any lot line abutting a residential district.

**12. Dry cleaning and laundry service**

- a. The site shall front or have direct access to a street meeting design standards for at least a collector street.
- b. No building shall be located closer than 20-feet to any lot line abutting a residential district.
- c. If a drive-thru pick up window is provided adequate queuing space for three vehicles must be provided. Queuing in drive aisles or public right of way is not allowed.

**13. Dwelling, zero lot line**

- a. Minimum lot size: 4,000 square feet per dwelling unit
- b. Minimum lot width: 40-feet; corner lots: 50-feet
- c. Maximum building height: 35-feet
- d. Front yard setback: 25-feet
- e. Side yard setback: 0-feet from one interior lot line, and 10-feet from opposite line; Corner side yards: 10-feet
- f. Rear yard setback: 10-feet

**14. Funeral Services**

- a. Must be located in a stand-alone building, OR
- b. Utilize side and/or rear entrances for the transportation of the deceased.

**15. General outdoor recreation, lighted**

- a. The site shall front or have direct access to a street meeting design standards for at least an arterial street.
- b. The site shall not abut, nor be within 300-feet of a residential district.

**16. General outdoor recreation, unlighted**

- a. The site shall front or have direct access to a street meeting design standards for at least an arterial street.
- b. No off-street parking or loading space shall be located closer than 20 feet to any lot line abutting a residential district.

**17. Hotel or Motel**

- a. Minimum lot size: 2 acres
- b. The site shall front or have direct access to a street meeting design standards for at least an arterial street.

- c. No off-street parking or loading space shall be located closer than 20 feet to any lot line abutting a residential district.

*18. Fitness and recreational sports center*

- a. The site shall front or have direct access to a street meeting design standards for at least a collector street.
- b. No off-street parking or loading space shall be located closer than 20 feet to any lot line abutting a residential district.

*19. Major entertainment facility*

- a. The site shall front or have direct access to a street meeting design standards for at least an arterial street.
- b. The site shall not abut, nor be within 300-feet of a residential district.

*20. Municipal or community recreation center*

- a. The site shall front or have direct access to a street meeting minimum design standards for at least a collector street.
- b. All lighting shall be arranged so that there will be no annoying glare directed or reflected toward adjacent property.
- c. Off-street parking or loading spaces shall be located a minimum of 20 feet from any lot line abutting a residential district.
- d. No building shall be located closer than 20 feet to any lot line abutting any residential use.

*21. Open air or street market*

- a. Management plan that demonstrates the following:
  - i. The on-site presence of a representative of the market during hours of operation who directs the operations of vendors participating in the market.
  - ii. An established set of operating rules addressing the governance structure of the market, hours of operation, and maintenance when open to the public.
  - iii. A general site plan of vendor stalls, visitor facilities, such as any seating areas and restrooms, and all ingress and egress points to the site.
  - iv. Provision for waste removal.
  - v. The days and hours of internal operation, including vendor set-up and take-down times.
- b. *Parking.* Off-street parking is required to be provided according to Article 5 of this UDC, except parking shall not be required in the Urban Core Overlay district.

*22. Parking structure*

- a. Minimum lot size: 1 acre
- b. The site shall front or have access to a street meeting design standard for at least a collector street.

**23. Personal storage**

- a. The site shall front or have direct access to a street meeting design standard for at least a collector street.
- b. No wholesale or retail sales shall be permitted from the personal storage units
- c. No outside storage is permitted.
- d. No maintenance, repair or mechanical work shall be permitted.
- e. No sales or storage of highly combustible materials shall be permitted.

**24. Places of Assembly**

- a. The development must meet landscaping and lighting standards in Article 5.
- b. The site shall front or have direct access to, a street meeting design standards for at least a collector street.

**25. Racetrack**

- a. The site shall front or have direct access to a street meeting design standards for at least an arterial street.
- b. The site shall not abut, nor be within 300 feet of a residential district.

**26. RV campground/park**

- a. *Conditions for approval in the MH district:*
  - i. The site shall have front or have direct access to a street meeting design standards for at least a collector street.
  - ii. Transient accommodations, limited to travel trailers or recreational vehicles only, shall occupy no more than 25 percent of the total number of spaces in any manufactured (mobile) home park/subdivision.
  - iii. The space for each recreational vehicle shall be provided with a permanent hard-surfaced pad.
- b. *Conditions for approval in A or I-1 districts:*
  - i. The site shall front or have direct access to a street meeting design standards for at least an arterial street.
  - ii. The site shall not abut nor be within 300-feet of a residential district.
  - iii. The maximum density shall be ten recreational vehicle spaces per acre.
  - iv. Open space shall be provided in the ration of at least 400 square feet per recreational vehicle space.
  - v. Sight-proof screening shall be provided around all sides of the site, except where transversed by driveways. Sight triangles shall be observed.
  - vi. The space for each recreational vehicle shall be provided with a permanent hard-surfaced pad.

**27. Research laboratory**

- a. No product manufacturing and no outside storage, display or activity shall be allowed. All activities must take place within a completely enclosed building.

**28. Vehicle service and repair, major**

- a. The site shall front or have direct access to, a street meeting design standards for at least a collector street.
- b. No building shall be located closer than 20 feet to any lot line abutting a residential district.
- c. A site proof screen shall be erected along any lot line abutting a residential district.

**C. Special Permit Uses**

Where the letters 'SP' appears in the Permitted Use Table found in Section 304 these uses in said districts shall be subject to public review processes outlined in Article 7. Administration Section 709. Special Permit Uses.

**1. Prior to approval of an application for special permit, the Planning Commission and City Council shall make a determination that the following standards have been met.**

- a. The proposed use conforms to the policies within the Comprehensive Plan.
- b. The proposed use does not adversely affect the use of the neighboring properties.
- c. Vehicle traffic generated will not be hazardous or in conflict with the existing traffic (vehicular or pedestrian) in the area.
- d. Adequate utility, drainage, parking, loading, signs, access, and other necessary public facilities to serve the use shall meet the adopted codes of the City.
- e. The site shall front or have direct access to a street having adequate right-of-way and improvements to support the traffic generated by the proposed use.
- f. The City Council may impose specific conditions, using existing City codes as a guide. Conditions may be related to permitted uses, lot sizes, setbacks, height limitations, required facilities, buffers, open space areas, lighting, signage, landscaping, parking and loading, compatibility, density, bonding, insurance and other development standards and operational conditions. These conditions shall be indicated to be important to the welfare and protection of adjacent property and the community as whole and shall not be arbitrary. Such conditions may include, but are not limited to:
  - i. A requirement that all machinery and operations be located within an enclosed building.
  - ii. A requirement that certain areas be screened from view of surrounding neighborhoods.
  - iii. Increased screening and/or landscaping standards.
  - iv. Limits of no access or access management restrictions.
  - v. Dedication of easements.

**2. Standards for Specific Uses:**

- a. Agriculture, animal processing
  - i. The site shall take access from an arterial street.
  - ii. Off-street parking or loading spaces shall be located a minimum of 20 feet from any lot line abutting a residential district.

iii. All buildings shall be setback at least 50 feet from all property lines.

b. Airport or Helipad

- i. A site plan shall be submitted showing intended size, layout, and specifications of all improvements, surrounding land uses, and description of property.
- ii. An operations plan shall be submitted which shall include:
  1. Proposed uses of facility, types of operation and hours of operation.
  2. Routes of approach and departure.
  3. Designated emergency landing areas.
  4. Description of the relations of the facility to established airports, helistops and heliports.
  5. Expansion plans.
  6. Methods of mitigating the effects on noise, lighting, and pollution.

iii. Other requirements:

1. A statement on public need for the facility.
2. If the proposed site is on a structure a structural report by a registered structural engineer must be provided.
3. Site improvements shall be in conformance with the development regulations of the zoning district in which it is located.
4. The site shall conform to all requirements established by local, state, and federal regulatory agencies for aviation activities.
5. All helicopter landing pads at ground level shall have controlled access to protect people on the ground.
6. All lighting shall be arranged so that there will be no glare directed or reflected toward adjacent property.
7. Off-street parking or loading spaces shall be located a minimum of 20 feet from any lot line abutting a residential district.

c. Auto salvage yard

- i. The use must be located a minimum of 200 feet from any residential district, school, hospital, park, or place of public assembly.
- ii. The site shall take access from an arterial street.
- iii. The site shall be opaquely screened on all sides of the property line by a minimum 8-foot-tall fence.
- iv. All outdoor storage areas for automobile, truck, boat and recreational vehicle salvage yards shall be on a permanent hard-surfaced area.

d. Bed and Breakfast

- i. Guest rooms shall not include cooking facilities.
- ii. A maximum of ten bedrooms may be provided for registered guests. No other bedrooms shall be used by other roomers, borders or guests.
- iii. The maximum stay by any guest shall be limited to 30 days.

iv. All required guest parking shall be provided on-site.

e. Crematorium

- i. The site shall take access from an arterial street.
- ii. Off-street parking or loading spaces shall be located a minimum of 20 feet from any lot line abutting a residential district.
- iii. All buildings shall be setback at least 50 feet from all property lines.
- iv. Uses that are legally in existence at the time of adoption of this UDC are permitted to persist, provided that no expansion occurs to increase the floor area of the establishment.

f. Confined Feeding Operation

- i. The site shall be at least 20 acres in size.
- ii. No such use shall be permitted within one-half mile of any residential district.
- iii. The applicant shall submit a plan of existing or proposed water and waste disposal facilities to show that the proposed use will meet all local, state, and federal requirements.

g. Freestanding tower

- i. The following requirements apply to all towers unless otherwise expressly approved by the City Council as a part of the Special Permit approval:
  1. Refer to Section 24-6 of Code of Ordinances, City of Yukon, Oklahoma for setback and height requirements for communication towers.
  2. Accessory buildings are subject to applicable zoning district building setback requirements.
  3. Towers must be enclosed by security fencing that is at least 6-feet in height or be equipped with an appropriate anti-climbing device.

h. Mining and processing - minerals and raw materials

- i. No use shall be permitted within 200 feet of a residential district.
- ii. No excavation, stockpiling of material, or accessory or incidental use of the mining operation shall be permitted within 70 feet of any property line, street right-of-way, drainage, or utility easement.

i. Recycling center (outdoor/indoor)

- i. Minimum lot size: 2 acres
- ii. The site shall take access from an arterial street.
- iii. The site shall be screened on all sides of the property line by a minimum 8-foot-tall fence.

j. Scrap operations

- i. Minimum lot size: 2 acres
- ii. The use must be located a minimum of 200 feet from any residential district, school, hospital, park, or place of public assembly.
- iii. The site shall take access from an arterial street.
- iv. The site shall be opaquely screened on all sides of the property line by a minimum 8-foot-tall fence.

k. Sexually oriented business

- i. Findings and restrictions applicable to sexually oriented business: The City Council has found that Sexually Oriented Businesses require special supervision from the public safety agencies and community development agencies of the city in order to protect and preserve the health, safety, morals and welfare of the patrons of such businesses as well as the citizens of the city. Sexually Oriented Businesses are frequently used for unlawful sexual activities, including prostitution and sexual liaisons of a casual nature. There is convincing documented evidence that sexually oriented businesses, because of their very nature, have a deleterious effect on existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values. It is recognized that sexually oriented businesses, due to their nature, have serious and objectionable operational characteristics that contribute to urban blight and downgrade the quality of life in the adjacent area. The city council desires to minimize and control these adverse effects and thereby protect the health, safety, and welfare of the citizenry. This is done to protect the citizens from increased crime, preserve the quality of life, preserve the property values and character of surrounding neighborhoods, and deter the spread of urban blight. The city council does not condone or legitimize the distribution of obscene material. The council recognizes that state and federal law prohibits the distribution of obscene materials, and therefore expects and encourages all law enforcement officials to enforce state obscenity statutes against any such illegal activities within the city. Based on these findings, it is the intent of the city council to regulate sexually oriented businesses in order to promote the health, safety, morals, and general welfare of the citizens of the city, and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of sexually oriented businesses within the city.
- ii. The location of Sexually Oriented Businesses shall be in compliance with applicable Commercial Zoning regulations of the city and may not be located within one thousand (1,000) feet of:
  1. Any building primarily and regularly used for worship services or religious activities;
  2. Any public or private educational facility, including, but not limited to, child day care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high

schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; a school includes the school grounds, but does not include facilities used primarily for another purpose such as offices and vehicle maintenance facilities and only incidentally used by students;

3. Any public park or recreational area which has been designated for park or recreational activities including, but not limited to, a park, playground, nature trail, swimming pool, reservoir, athletic field, golf course, basketball or tennis courts, wilderness area, or other similar land within the city which is under the control, operation, or management of the parks department or any public trusts, provided that a recreation area as used in this article shall not be interpreted as including turnpikes and highways that also contain jogging or bicycle paths;
4. Any public library;
5. A premises licensed pursuant to the alcoholic beverage control regulations of the state where any beverage containing alcohol is sold, distributed or served;
6. An entertainment business which is oriented primarily towards children or family entertainment;
7. Any other Sexually Oriented Business; or
8. Any land zoned or used for residential purposes.

- iii. The distance between a Sexually Oriented Business and any use named above shall be measured in a straight line, without regard to the intervening structures, objects, or political boundaries, from the nearest exterior boundary of the parcel or the premises where a sexually oriented business is conducted, to the nearest property boundary of the premises of a listed use. For purposes of determining measured distance, property situated on the opposite side of the street shall be considered as if it were located on the same side of the street with the Sexually Oriented Business.
- iv. The business may not operate between the hours of 11:00 p.m. and 9:00 a.m. the following day and may not operate on Sunday.
- v. No one under the age of twenty-one (21) years may be allowed to enter or be upon, or be employed by, such business.
- vi. No beer, wine, alcoholic beverage, mixed drinks, or any other similar substance which is regulated by the Oklahoma Alcoholic Beverage Law Enforcement Commission, or which requires a license from local government as a condition to selling may be served or sold within or upon the premises.
- vii. Any other conditions determined to be appropriate by city staff, the Planning Commission, or the City Council.
- viii. Any person, firm, or corporation who violates any provision of this article shall be guilty of an offense, and upon conviction shall be punished, subject to the provisions of Chapter 1 of the Code of Ordinance of the City of Yukon. For purposes of this provision, each day that the violation occurs shall be deemed a separate violation.

*I. Short-term rental*

- i. Provide a certified ownership list within a 600-foot radius of the exterior boundary of the subject boundary.
- ii. Obtain and maintain a city-issued short term rental license.
- iii. Required information to be posted and provided to renters/guests:
  1. License registration, including license number and expiration date
  2. Operator's name and phone number
  3. Property manager name and phone number
  4. Location of any on-site and off-site parking spaces available for guests
  5. Occupancy limits
  6. Information on relevant burn bans, water restrictions, and trash collection rules and dates
  7. Floor plan with fire exit and escape routes
- iv. Use of the short-term rental for any commercial or social event is prohibited.
- v. A licensee or guest of a short-term rental shall not use or allow use of sound equipment, amplified music, and/or musical instruments.
- vi. A licensee or guest of a short-term rental shall not violate any parking ordinances, noise ordinances or any other ordinance of the City of Yukon Municipal Code.

*m. Solid waste disposal*

- i. Minimum lot size: 40 acres
- ii. Shall be approved in accordance with state and federal regulations and guidelines.
- iii. The site shall take access from an arterial street.
- iv. No activity area shall be permitted within 1,500 feet of an occupied dwelling.
- v. A fence or wall of not less than 8 feet in height as measured from finished grade shall be provided around the use.

## Article 4. Building Envelope Standards

### Section 401. General Provisions

All structures within zoning districts shall comply with the bulk and setback standards of the district, unless specifically noted otherwise. Any variance to these standards requires approval by the Board of Adjustment.

### Section 402. Lots

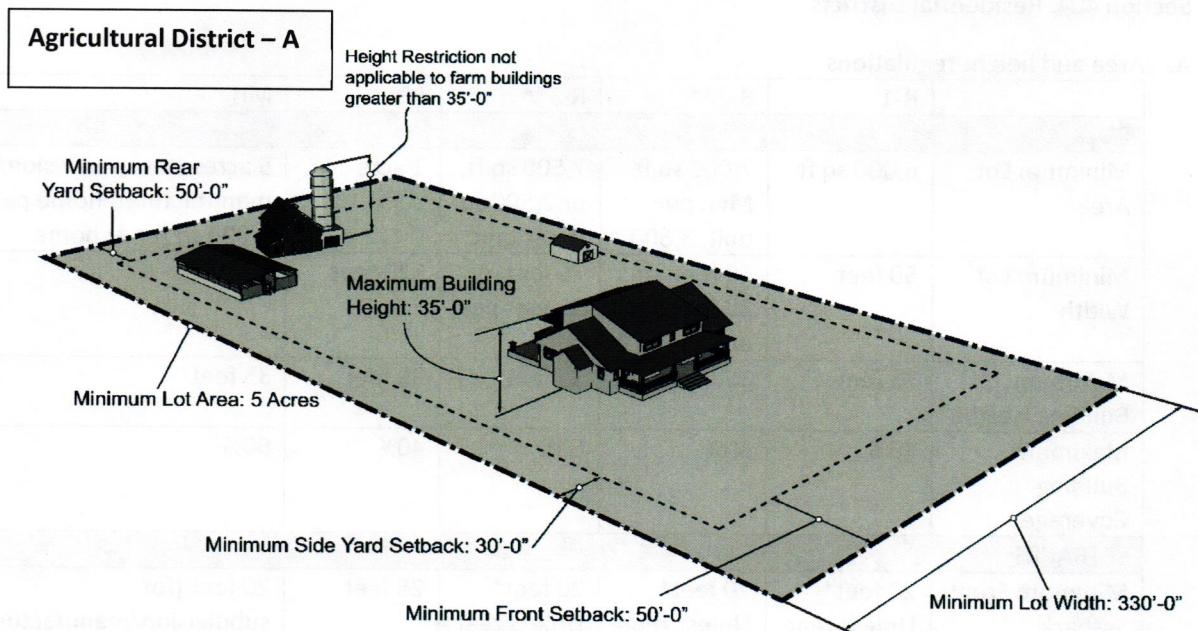
- A. Lot dimensions shall conform to the existing zoning regulations of the district.
- B. Each lot shall have access and front upon a public street.
- C. Double frontage and reverse frontage lots should be avoided except where their use will produce definite advantages in meeting special situations in relation to topography and proper land use.
- D. Side lot lines shall be substantially at right angles or radial to street lines.
- E. Minimum lot widths for all non-residential districts are at the building line.

### Section 403. Agricultural District

#### A. Area and height regulations

A – Agricultural District	
<b>BULK</b>	
Minimum Lot Area	5 acres
Minimum Lot Width	330 feet
Maximum Building Height	35 feet*
Maximum Building Coverage	10%
<b>SETBACKS</b>	
Minimum Front Setback	50 feet
Minimum Side Yard Setback	30 feet
Minimum Rear Yard Setback	50 feet

\*Height restrictions shall not apply to farm buildings not intended for human occupancy.



No more than one (1) principal building shall be placed on any one (1) lot.

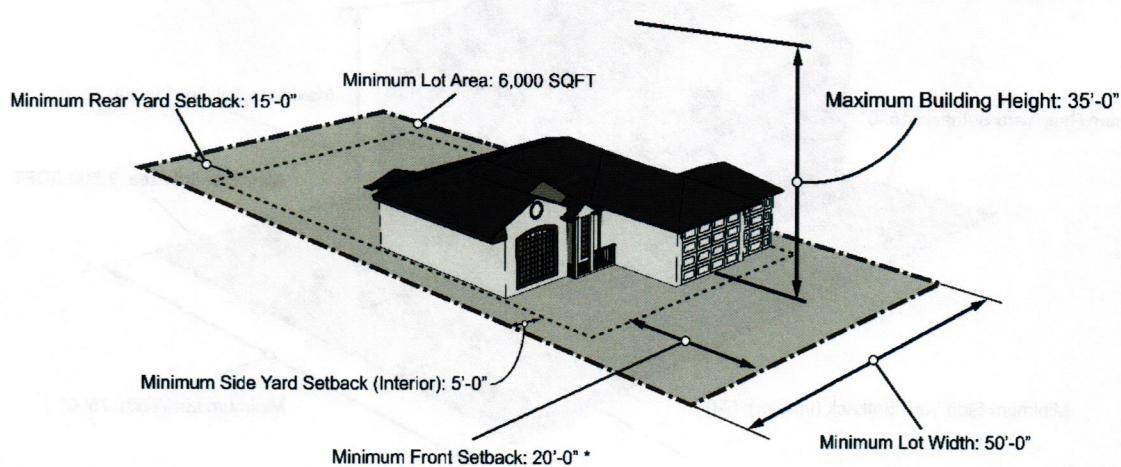
- Accessory buildings shall be at least ten (10) feet from the side lot lines.
- Right-of-way dedications may be included in calculating lot frontage.

**Section 404. Residential Districts****A. Area and height regulations**

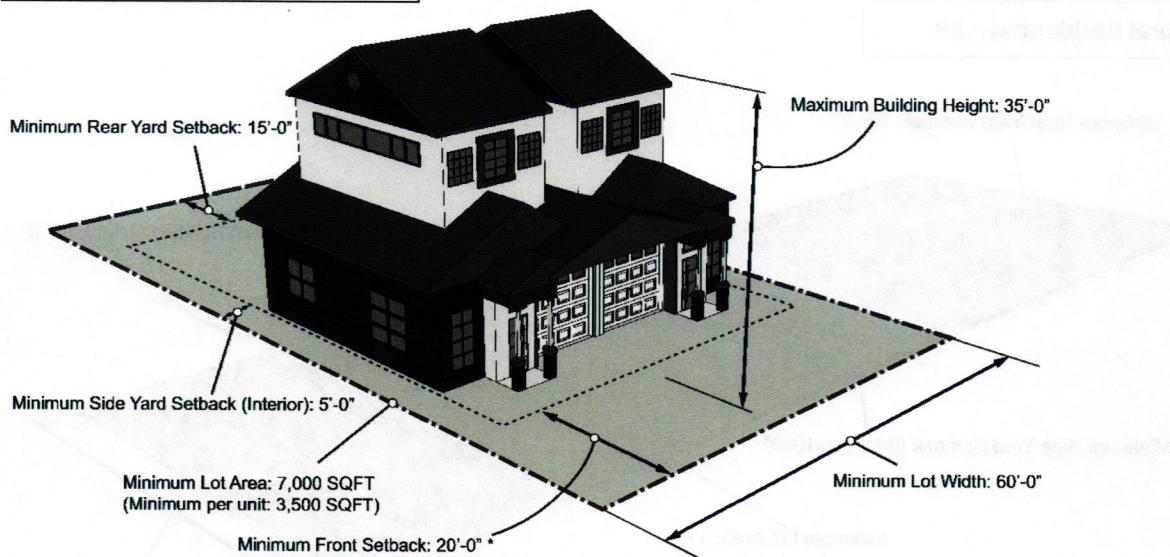
	R-1	R-2**	R-3**	RR	MH
<b>BULK</b>					
Minimum Lot Area	6,000 sq ft	7,000 sq ft Min. per unit, 3,500	7,500 sq ft, or 2,500 sq ft per unit	1 acre	5 acres (for subdivision/manufactured home park) 5,000 sq ft per home
Minimum Lot Width	50 feet	60 feet, or 30 feet per unit	75 feet, or 25 feet per unit	120 feet	n/a
Maximum Building Height	35 feet	35 feet	35 feet	35 feet	35 feet
Maximum Building Coverage	40%	50%	60%	40%	60%
<b>SETBACKS</b>					
Minimum Front Setback	20 feet* Unless rear loaded then 10'	20 feet* Unless rear loaded then 10'	20 feet* Unless rear loaded then 10'	25 feet	20 feet (for subdivision/manufactured home park)
Minimum Side Yard Setback (Interior)	5 feet	5 feet	5 feet	15 feet	15 feet (for subdivision/manufactured home park) 5 feet between homes
Minimum Side Yard Setback (Corner)	15 feet	15 feet	15 feet	25 feet	15 feet (for subdivision/manufactured home park)
Minimum Rear Yard Setback	15 feet	15 feet	15 feet	25 feet	10 feet (for subdivision/manufactured home park)

\*\*Refer to Article 5. Section 509. A. Duplex, Triplex, Fourplex and Multifamily Design

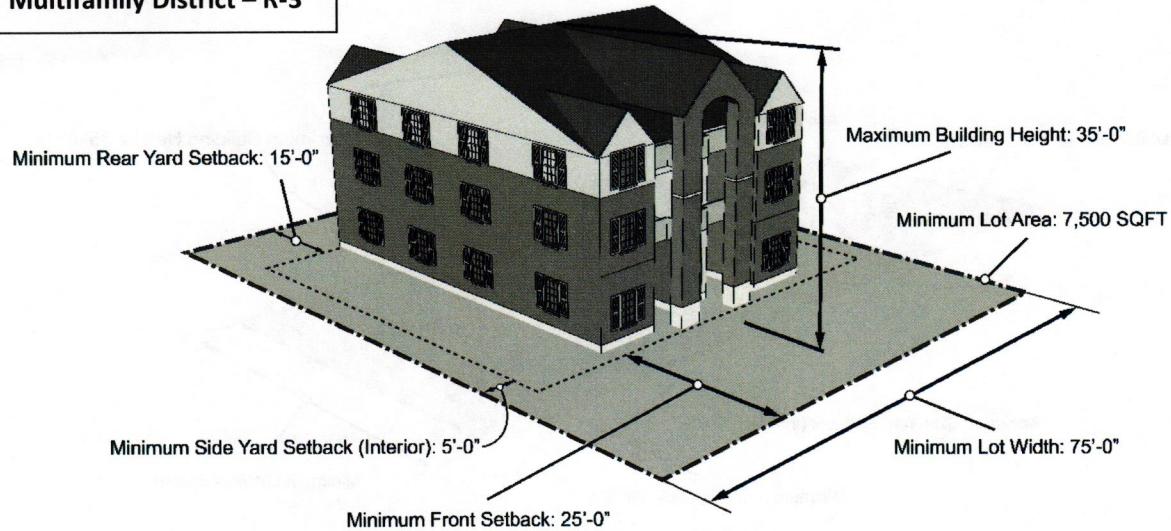
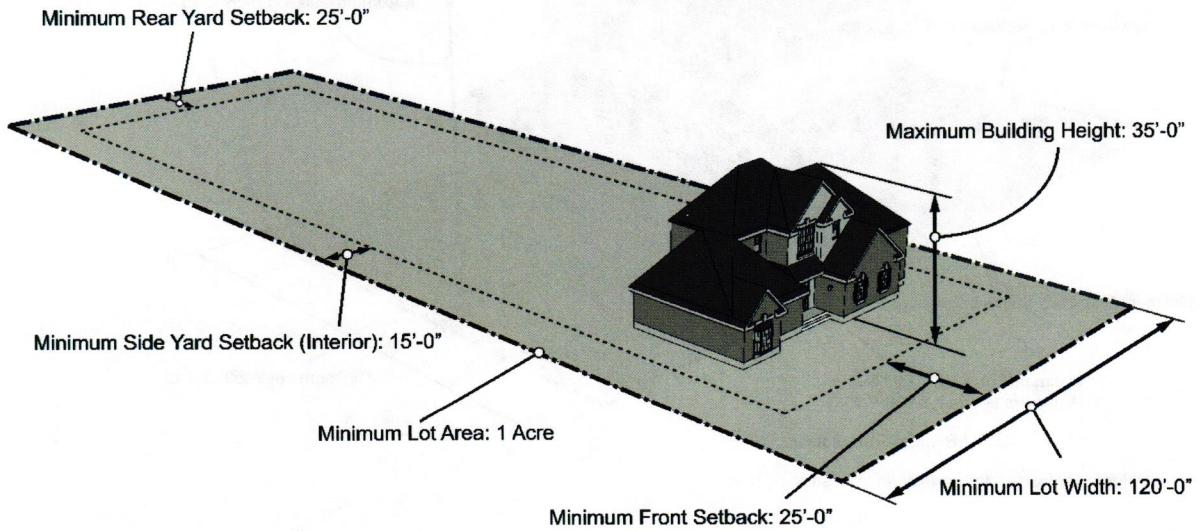
Requirements.

**Single Family District – R-1**

\*Unless rear loaded, then minimum front setback 10'-0"

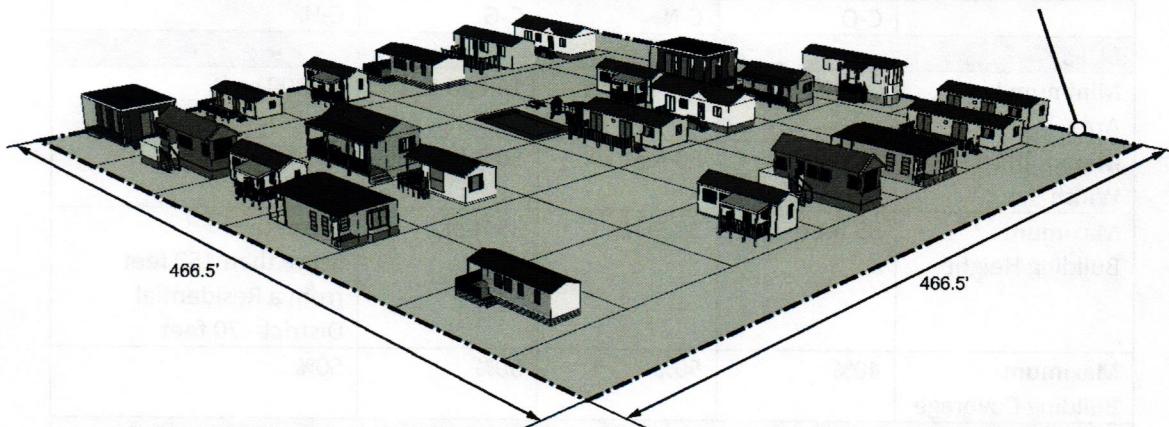
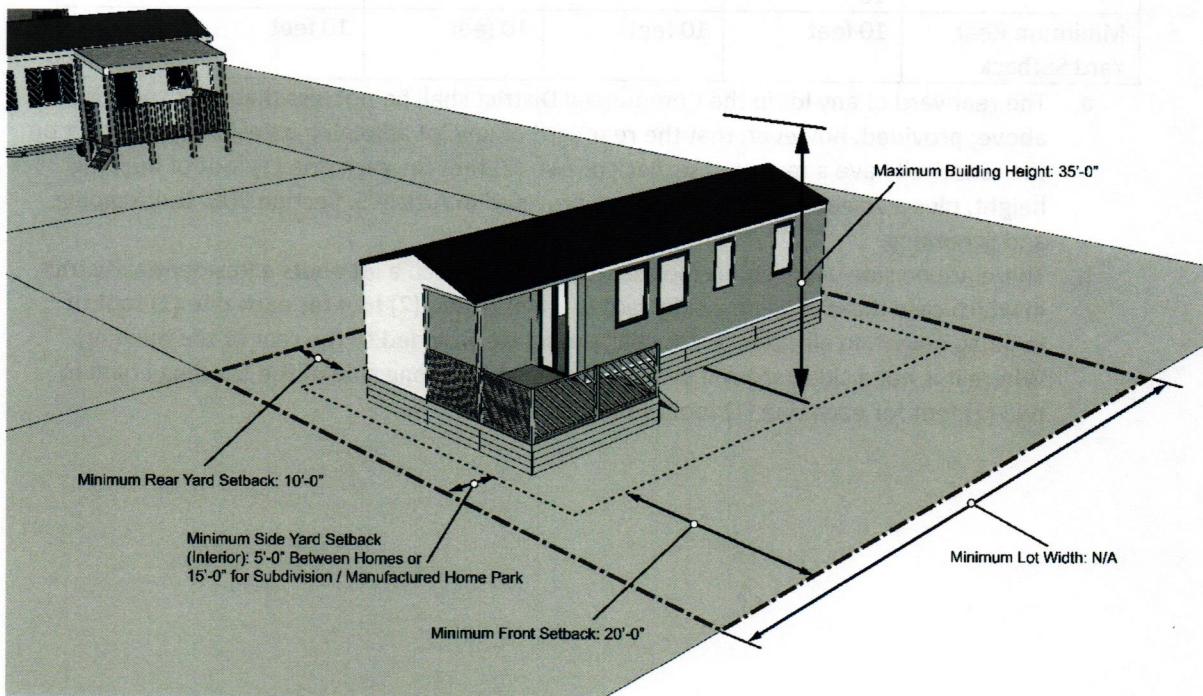
**Medium Density District – R-2**

\*Unless rear loaded, then minimum front setback 10'-0"

**Multifamily District – R-3****Rural Residential – RR**

**Manufactured/Mobile Home District – MH**

Minimum Lot Size (For Subdivision / Manufactured Home Park): 5 Acres

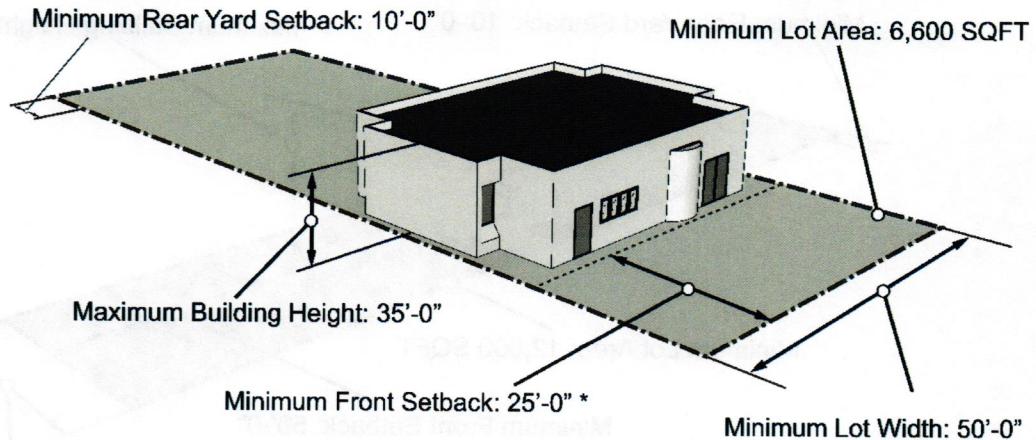
**Manufactured/Mobile Home District – MH (Close up of lot)**

**Section 405. Commercial Districts****A. Area and height regulations**

	C-O	C-N	C-G	C-H
<b>BULK</b>				
Minimum Lot Area	6,600 sq ft	6,600 sq ft	12,000 sq ft	15,000 sq ft
Minimum Lot Width	50 feet	50 feet	50 feet	150 feet
Maximum Building Height	35 feet	35 feet	35 feet	35 feet More than 150 feet from a Residential District - 70 feet
Maximum Building Coverage	40%	50%	50%	50%
<b>SETBACKS</b>				
Minimum Front Setback	25 feet* Unless parking is provided in the rear then 10'	25 feet	50 feet	50 feet
Minimum Rear Yard Setback	10 feet	10 feet	10 feet	10 feet

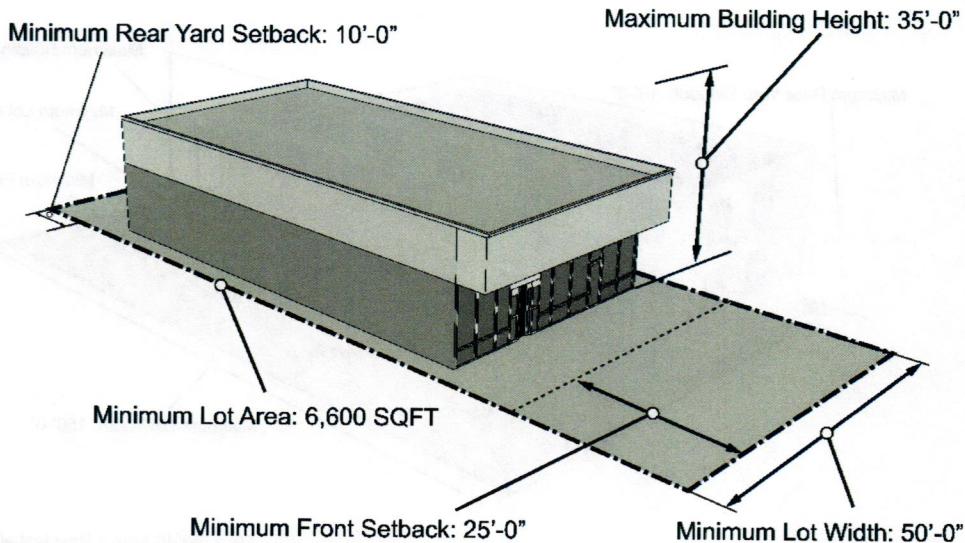
- a. The rear yard of any lot in the Commercial District shall be not less than that specified above; provided, however, that the rear yard of any lot adjoining a Residential District on the rear shall have a rear yard setback of two (2) feet for each one (1) foot of building height, plus a screening wall or fence as provided in Article 5. Section 505. Landscaping and Screening.
- b. There are no side yard requirements except where such a lot abuts a Residential District, in which case there shall be a side yard setback of two (2) feet for each one (1) foot of building height. In all cases, accessibility must be provided to the rear of the building. Where it is not a side yard will be required on at least one side of the building equal to two (2) feet for each one (1) foot of building height.

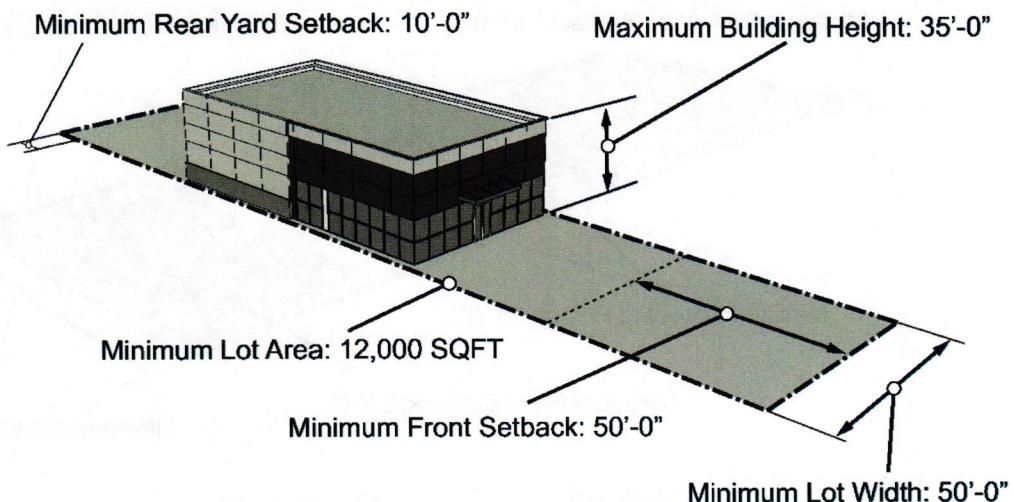
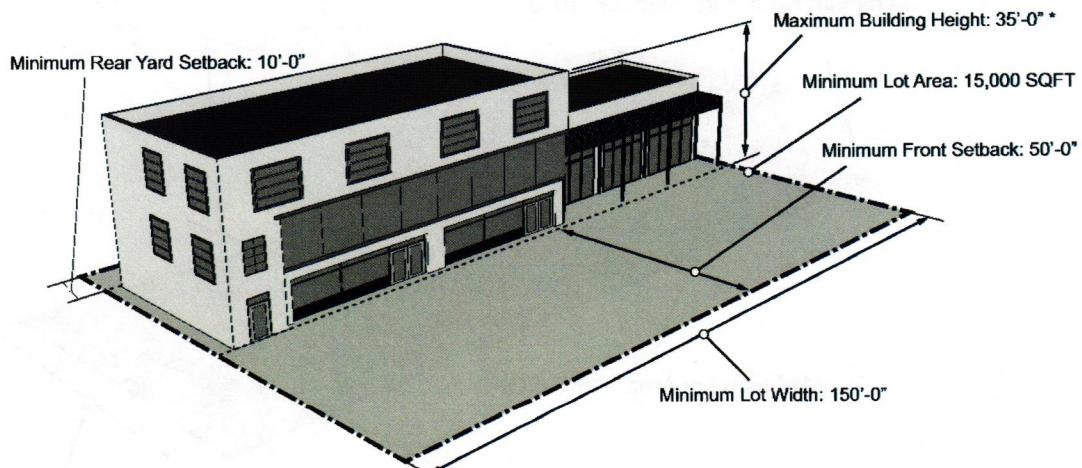
## Office District – C-O



\*Unless parking is provided in rear, then minimum is 10'-0"

## Neighborhood Commercial District – C-N



**General Commercial District – C-G****Heavy Commercial District – C-H**

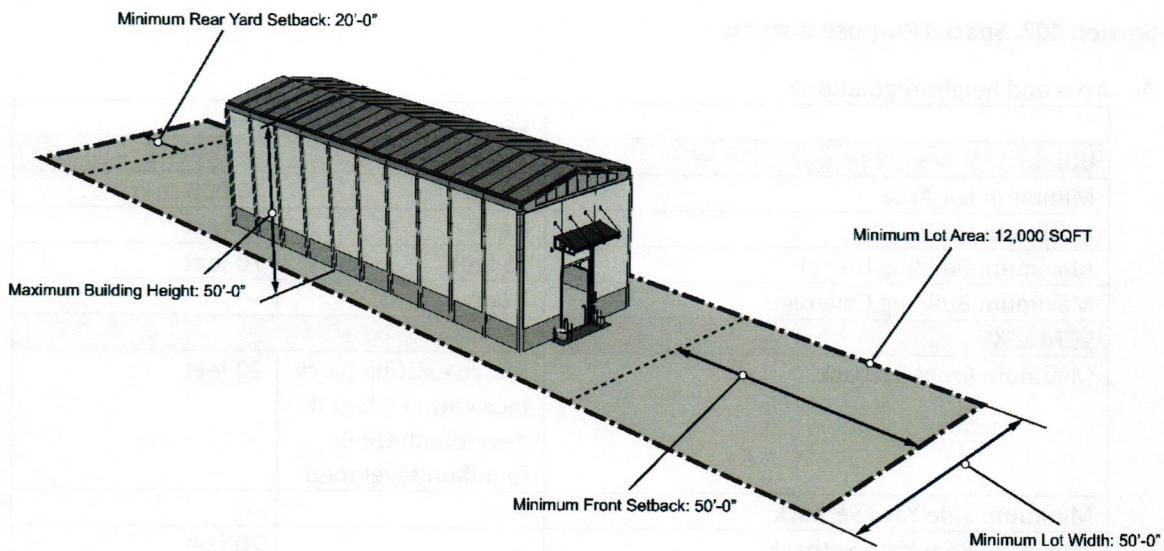
## Section 406. Industrial Districts

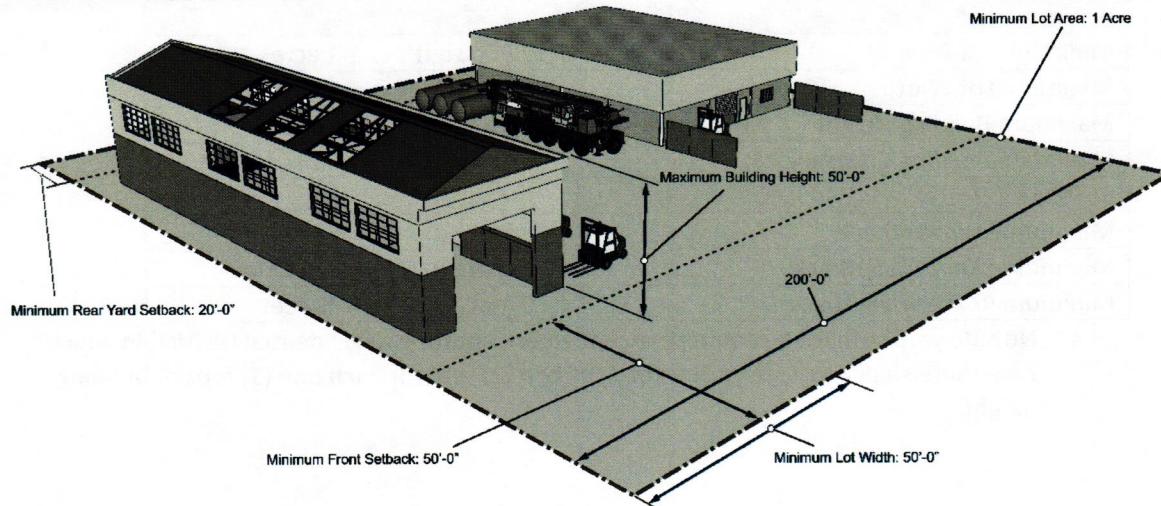
### A. Area and height regulations

	I-1	I-2
<b>BULK</b>		
Minimum Lot Area	12,000 sq ft	1 acre
Minimum Lot Width	50	50
Maximum Building Height	50 feet	50 feet
Maximum Building Coverage	30%	65%
<b>SETBACKS</b>		
Minimum Front Setback	50 feet	50 feet
Minimum Side Yard Setback	See below	See below
Minimum Rear Yard Setback	20 feet	20 feet

a. No side yard setback is required, except where abutting a Residential District, in which case there shall be a side yard setback of two (2) feet for each one (1) foot of building height.

#### Light Industrial District – I-1



**Heavy Industrial District – I-2****Section 407. Special Purpose Districts****A. Area and height regulations**

	CB	O-R
<b>BULK</b>		
Minimum Lot Area	None	10,000 sq ft
Minimum Lot Width	None	50 feet
Maximum Building Height	35 feet	70 feet
Maximum Building Coverage	None	--
<b>SETBACKS</b>		
Minimum Front Setback	Match existing block face within 5 feet if developed; OR 0-feet if undeveloped	20 feet
Minimum Side Yard Setback	--	--
Minimum Rear Yard Setback	--	20 feet

- There are no side yard requirements except where such lot abuts a Residential District, in which case there shall be a side yard setback of two (2) feet for each one (1) foot of building height.
- In all cases, accessibility must be provided to the rear of the building. Where it is not a side yard will be required on at least one side of the building equal to two (2) feet for each one (1) foot of building height (maximum of 15 feet).

### Section 408. Planned Unit Development Districts

A. Area and height regulations. The minimum lot area for Planned Unit Development Districts shall be 5 acres. All other bulk standards shall be specified in the Master Design Statement of the Planned Unit Development.

### Section 409. Simplified Planned Unit Development Districts

A. Area and height regulations. The maximum lot area for Simplified Planned Unit Development Districts shall be 4.99 acres. All other bulk standards shall be specified in the Master Design Statement of the Simplified Planned Unit Development.

### Section 410. I-40 Corridor Overlay District

The base district of a subject property shall govern area and height regulations. General Development Standards for the overlay district are outlined in Article 5.

A. Area and height regulations

	I-40 Overlay
BULK	
Maximum Building Height	70 feet

### Section 411. Urban Core Overlay District

The base district of a subject property shall govern area and height regulations, except where outlined below. General Development Standards for the overlay district are outlined in Article 5.

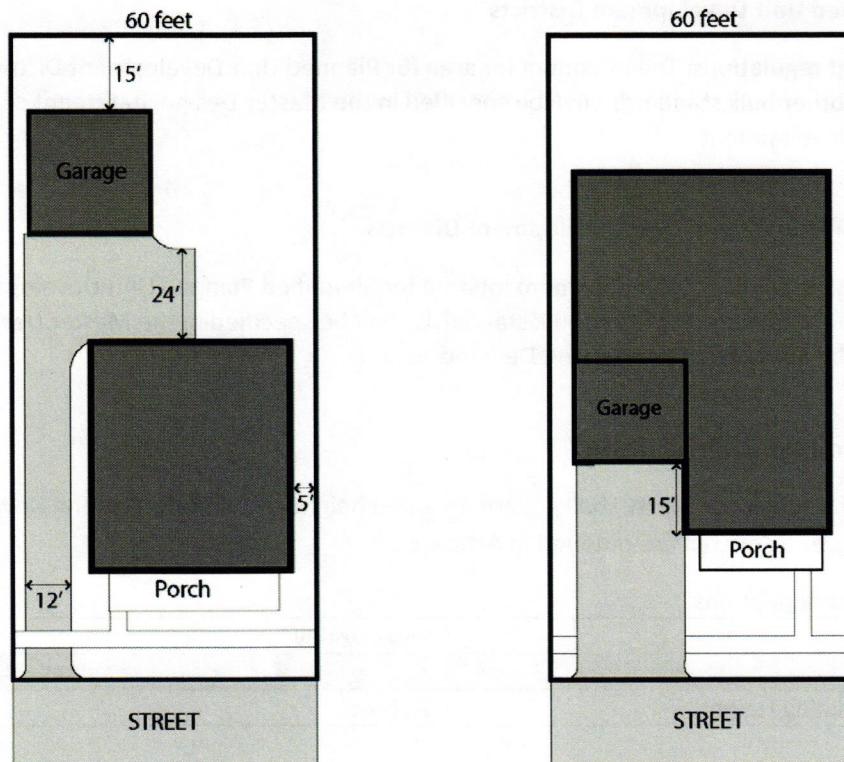
A. Area and height regulations for parcels with a residential base district

	UC Overlay
BULK	
Minimum Lot Area	3,500 sq ft
Minimum Lot Width	25 feet
Maximum Building Coverage	80%
SETBACKS	
Minimum Front Setback	Match prevailing setback within 5 feet of existing homes within the block face; If a prevailing setback does not exist, conform with adjacent blocks where a prevailing setback exists.
Minimum Side Yard Setback	5 feet (interior) 10 feet (corner)
Minimum Rear Yard Setback	5 feet

B. Standards for new residential construction after the adoption date of the UDC

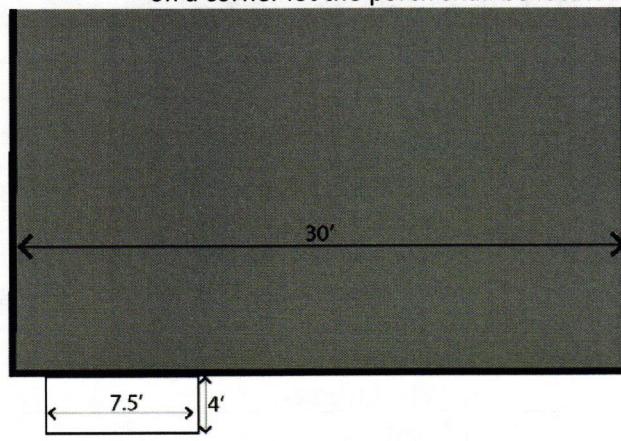
a. Garages

- i. Primary facades of front-facing garages should be at least 15 feet behind the primary façade of the dwelling.
- ii. Rear garages can be attached or detached.



b. Porch

- i. All new dwellings are required to have a porch or stoop of at least  $1/4$  the length of the structure's front façade.
- ii. Depth of porch shall be not less than 4 feet
- iii. Houses should be oriented so that porch or stoops face the street. Where located on a corner lot the porch shall be located on the primary frontage (main entry).



↑ Porch at least  $1/4$  the length of house width,  
and depth of at least 4 feet

## Article 5. General Development Standards

### Section 501. Applicability

These standards shall apply to all land within the municipal boundaries of the City of Yukon, except where otherwise specified.

### Section 502. Streetscape Standards

#### A. Street Plan

The arrangement, character, extent, width, grade and location of all streets in a proposed subdivision shall conform to the Comprehensive Plan and these regulations.

1. All such streets shall be related to existing and proposed streets in the area, topographical conditions, public convenience and safety, and existing and proposed land uses along such streets.
2. All streets shall be platted in such a manner that all resulting lots shall conform to the applicable zoning regulations.
3. Where such streets are not shown in the Comprehensive Plan, the arrangements of these streets in the subdivision shall either:
  - a. Provide for the continuation or appropriate projection of existing streets in the surrounding areas; or
  - b. Conform to a preliminary plat approved or adopted by the Planning Commission.
4. Minor and collector streets shall be laid out to discourage through traffic.
5. Where a residential subdivision abuts or contains an existing or proposed arterial [street], the Planning Commission shall require:
  - a. Marginal access streets;
  - b. Reverse frontage with screen planting contained in a nonaccess reservation along the rear property line;
  - c. Deep lots with rear service streets; or
  - d. Such other treatment as may be necessary for the adequate protection and stabilization of residential properties and to afford separation of through and local traffic.
6. Reserve strips designed and used for the primary purpose of controlling access to minor streets by parties or persons other than a public agency shall be prohibited.

#### B. Street Alignment and Grade

1. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be avoided.
2. A tangent of not less than one hundred (100) feet in length shall be introduced between reverse curves on arterial and collector streets.
3. Minimum clear sight distance, measured along the chord of the centerline, shall be provided on all streets as follows:

STREET TYPE	MINIMUM SIGHT DISTANCE
Arterial	400 feet
Collector	350 feet
Local	250 feet

4. Minimum grade of all streets shall be 0.5 percent. Except where unusual topographic conditions justify an exception, the maximum grade of streets shall not be greater than the following:

STREET TYPE	MAXIMUM GRADE
Arterial	3%
Collector	5%
Local	7%

5. Planning Commission shall have the authority to make recommendation to City Council, and City Council shall have authority to approve variations in the above alignments and grades due to unique topographic or other conditions.

### C. Street Design

1. Streets shall conform to the Comprehensive Plan, and the following classifications:

CRITERIA		FREEWAY/ EXPRESSWAY	PRINCIPAL ARTERIAL	MINOR ARTERIAL	COLLECTOR	LOCAL
TRIP SERVICE	Trip Length	Long	Moderate to Long	Moderate	Short to Moderate	Short
	Trip Volume	High	Moderate to High	Moderate	Moderate to Low	Low
SERVICE AREA		Regional generators and specialized land uses	Secondary generators and specialized land uses	Minor generators and specialized land uses	Local area and neighborhoods, some minor generators	Individual sites
OPERATIONAL CHARACTERISTICS	System Continuity	Continuous Regional System	Connects to regional system; Intercommunity continuity	Connects to regional system; Intercommunity continuity	Intercommunity continuity	Connects individual sites
	Facility Spacing	2 – 5 miles	1 – 2 miles	0.5 - 1 miles	0.25 – 0.5 miles	As appropriate
		Should NOT Penetrate Neighborhoods			May penetrate neighborhoods	Will penetrate neighborhoods
	Access Control	Full to extensive	Partial	Partial	Partial to Marginal	Little
	Volume of Traffic	High	Moderate to High	Moderate	Moderate to Low	Low
	On Street Parking	None	None; except along historic Downtown (CB District)	None	None, unless residential	Fully allowable unless restricted for cause
	AUTOMOBILE TRAVEL DESIGN	Lane Number	Determined by ODOT	Typically 3 to 5	Typically 2 to 5	Typically 2
	Lane Width	Determined by ODOT	10 to 13 feet	10 to 13 feet	10 to 12 feet	10 to 13 feet
	Median	Determined by ODOT	Optional; minimum 10 feet wide, can be used	Optional; minimum 5 feet wide, can be used	Optional; minimum 5 feet wide, can be used	Optional

CRITERIA		FREEWAY/ EXPRESSWAY	PRINCIPAL ARTERIAL	MINOR ARTERIAL	COLLECTOR	LOCAL
PED / BICYCLE TRAVEL DESIGN			to control left turn movements	to control left turn movements	to control left turn movements	
	Sidewalk	Determined by ODOT	Minimum 5 feet with 5-foot greenbelt/planting area; if planting area cannot be provided minimum 6 foot wide sidewalk at curb	Minimum 5 feet with 5-foot greenbelt/planting area; if planting area cannot be provided minimum 6 foot wide sidewalk at curb	Minimum 5 feet; with 5-foot greenbelt/planting area; if planting area cannot be provided minimum 6 foot wide sidewalk at curb	Minimum 4 feet
	Appropriate Bike Facility	Determined by ODOT	Multi-use path of 8 to 12 feet preferred	Separated Facility or Bike Lane	Separated Facility or Bike Lane	Bike Route/Sharrow

2. All streets shall be paved according to the established standards adopted by the City Council.
3. The following minimum standards shall apply:

STREET TYPE	MINIMUM RIGHT-OF-WAY WIDTH	ROADWAY WIDTH (without median)
Principal arterial	100'	20 to 65'
Minor arterial	80'	20 to 65"
Collector	60'	20 to 34'
Local	60'	20' or 26'

4. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations.
5. In no event shall lots facing a one-half minor residential street be permitted.
6. Wherever an existing half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.
7. Where a subdivision borders on or contains a railroad right-of-way or limited access highway, the Planning Commission may require a street approximately parallel to and on each side of such right-of-way.

### Section 503. Access Management

- A. That the construction of commercial or industrial driveways on all Major and Minor Arterials, and Collector streets within the corporate limits of the City of Yukon, Oklahoma, is hereby limited to those lots whose only frontage is on a Collector street or primary Arterial. An Arterial or Collector street for the purpose of this UDC being the same as designated and defined by the Comprehensive Plan of the City of Yukon, Oklahoma, and such other Arterial and Collector streets as the council by ordinance may designate and define.
- B. Commercial or industrial subdivisions should have access to an Arterial or Collector street, but shall not have access to a Local street.

- C. To ensure traffic safety, appropriate nonaccess provisions shall be designated and dimensioned along all abutting streets in commercial and industrial subdivisions, and along major streets in residential subdivisions. A description of such nonaccess provisions shall appear upon the plat.
- D. Individual residential driveways will be so located on each lot to avoid direct vehicular access to or from any Expressway or Arterial street, except for those in A, Agricultural District. Driveways in new additions should be located to enable direct access primarily to or from a Local street or, if necessary, to the Collector streets which serve as feeders to or distributors from the Arterial streets. The construction of driveways on all Arterial and Collector streets within the corporate limits of the City of Yukon, Oklahoma, in existing additions is limited to those lots whose only frontage is on a Collector or Arterial street.

**E. Commercial, Industrial or Mixed-Use Driveway and Street Intersection Minimum Separation (in feet).**

Intersecting Street	Location of Driveway			
	Freeway/ Expressway	Arterial	Collector	Local
Freeway/ Expressway	200	200	150	n/a
Arterial	200	120	100	n/a
Collector	150	100	90	60
Local	150	100	60	60*

\*Excludes residential Districts and Uses

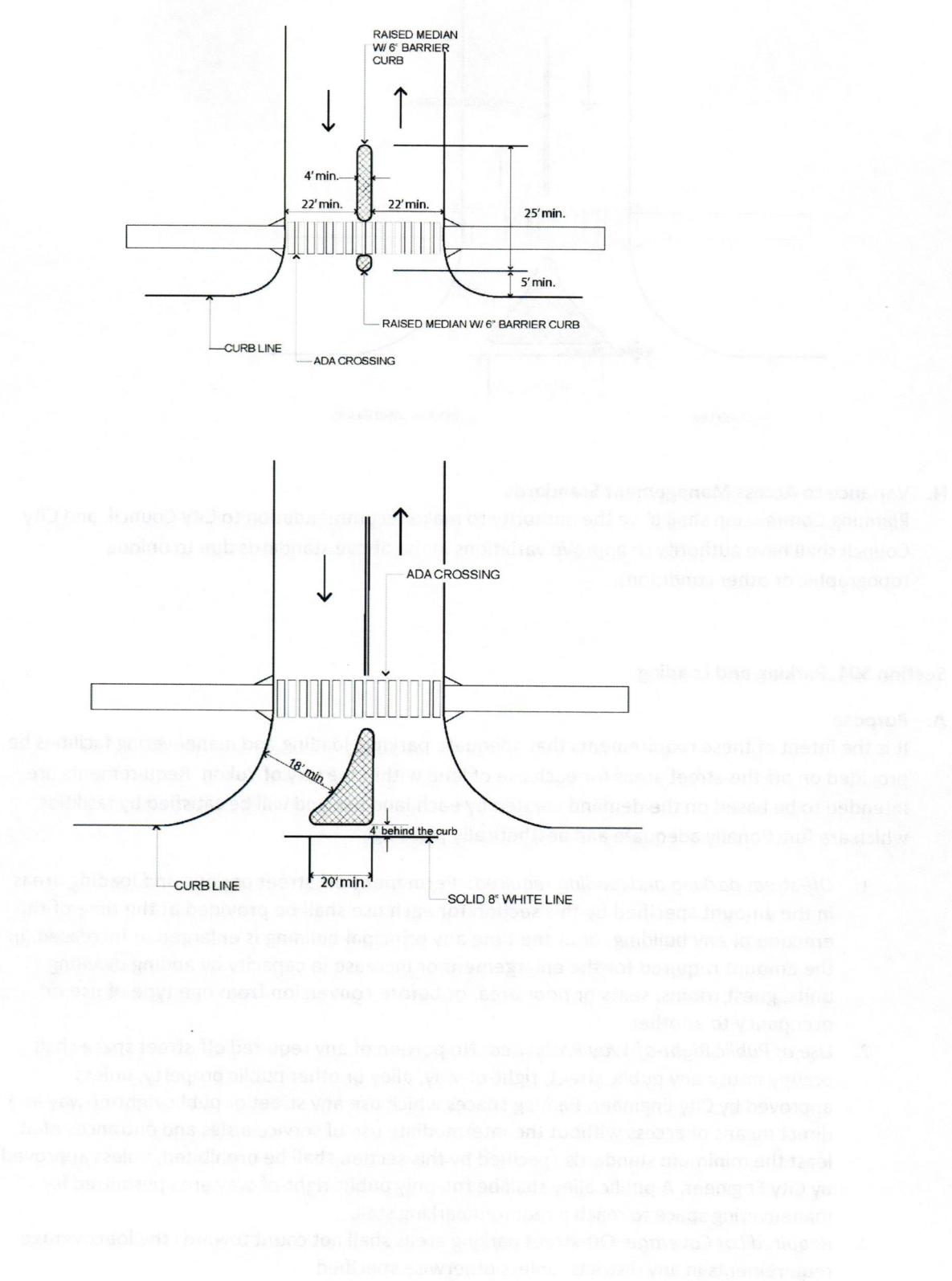
**F. Commercial, Industrial or Mixed-Use Driveway to Driveway Separation Standards (in feet)\***

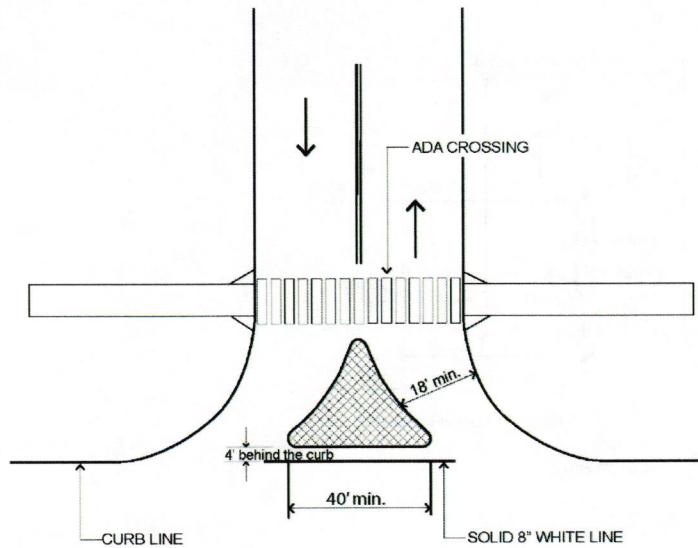
Local	Collector	Minor Arterial	Major Arterial	Freeway/ Expressway
100	100	500; can reduce to 300 if one way turn access controls are provided	500; can reduce to 300 if one way turn access controls are provided	500

\*Excludes residential Districts and Uses

**G. Access Controls**

The following illustrate acceptable access controls. Alternatives to these may be approved by the City Engineer.





#### H. Variance to Access Management Standards

Planning Commission shall have the authority to make recommendation to City Council, and City Council shall have authority to approve variations in the above standards due to unique topographic or other conditions.

### Section 504. Parking and Loading

#### A. Purpose

It is the intent of these requirements that adequate parking, loading and maneuvering facilities be provided on off-the-street areas for each use of land within the City of Yukon. Requirements are intended to be based on the demand created by each land use and will be satisfied by facilities which are functionally adequate and aesthetically pleasing.

1. *Off-street parking and loading required:* Permanent off-street parking and loading areas in the amount specified by this section for each use shall be provided at the time of the erection of any building, or at the time any principal building is enlarged or increased, in the amount required for the enlargement or increase in capacity by adding dwelling units, guest rooms, seats or floor area, or before conversion from one type of use or occupancy to another.
2. *Use of Public Right-of-Way Prohibited:* No portion of any required off-street space shall occupy or use any public street, right-of-way, alley or other public property, unless approved by City Engineer. Parking spaces which use any street or public right-of-way as a direct means of access without the intermediate use of service aisles and entrances of at least the minimum standards specified by this section shall be prohibited, unless approved by City Engineer. A public alley shall be the only public right-of-way area permitted for maneuvering space to reach a required parking stall.
3. *Required Lot Coverage:* Off-street parking areas shall not count towards the lot coverage requirements in any districts, unless otherwise specified.

4. *Location:* The off-street parking lot shall be located within two hundred (200) feet, exclusive of street and alley widths, of the principal use and shall have direct access to a street or alley.
5. *Property Owner Responsibility:* It shall be the responsibility of the property owner to certify at the time of building permit application that the site plan is sufficient to provide spaces and facilities necessary to ensure that no activity will take place on public streets or property not under their control. Any use developed after the date of adoption of these regulations which fails to provide for its off-street parking, loading and access needs according to this provision shall be in violation of the Zoning Ordinance. Upon determination by the Development Services Director or designee that a property owner has not provided adequate parking or loading space to serve his operation, said property owner shall be required to either develop additional parking or loading space or reduce the size of the operation to fit the space available.
6. *Ownership or Control:* The land on which the off-street parking or loading facility is located shall be owner[-controlled] or controlled by the same entity which owns or controls the land on which the principal use is located unless a joint use agreement is in place in the case of shared/joint parking.

#### **B. Applicability and exemptions**

The standards contained herein represent minimum requirements. These requirements shall apply to all uses in all districts unless otherwise specified.

1. *Central Business District:* Uses within the CB zoning district are exempt from the Off-street Parking Requirements of subsection L.
2. *National Register of Historic Places:* Buildings and places listed in the National Register of Historic Places are exempt from the Off-street Parking Requirements of subsection L.

#### **C. Approval Procedures for Off-Street Parking, Loading and Access.**

1. *New construction or remodeling.* No building permit shall be approved until a plan has been reviewed and approved by the city staff as a part of the building and site plan review process. No certificate of occupancy shall be issued until all off-street parking and loading facilities have been constructed in accordance with the approved building permit.
2. *Plan and information required.* The applicant for a building permit for new construction, expansion or remodeling shall submit a plan showing the number, location, and size of parking spaces. 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.
3. *Plans for surfacing of parking areas.* Plans for surfacing of all off-street parking areas, aisles and access driveways, including detailed drainage plans, shall be reviewed and approved by the city staff for compliance with city specifications.
4. *Interpretation and Appeal:* If questions of interpretation or application of these requirements to particular uses or structures arise, the city staff shall, based on findings of fact, make a determination of the off-street parking, loading or access requirements. Any aggrieved property owner may appeal such determination to the board of adjustment under the procedure specified in Section 701 of this ordinance.

**D. Joint parking**

The required parking space for any number of separate uses may be combined in a joint parking facility under the following conditions.

1. *Multiple ownerships or structures.* Where there are multiple ownerships or structures, each owner shall provide evidence of a permanent legal instrument which has been filed of record with the county clerk and which guarantees the permanent right to use of the parking facility.
2. *Churches.* One-half of the required parking spaces for churches may be included in the total of required parking spaces for other uses that do not operate after 6:00 p.m. or on Sundays; provided, that the nearest property line of said parking area is located within three hundred (300) feet of the church property line.
3. *Cumulative Effect.* Where more than one facility shows evidence of joint use agreements for common access and a cross parking arrangement resulting in reduced street access points, parking requirements will be based upon the cumulative gross floor area of all structures.

**E. Residential parking design**

1. Single-family, duplex and multifamily residential structures located on one lot may use a paved driveway to fulfill the minimum parking requirements of this section. The space for each automobile on the paved area shall be a minimum of nine (9) feet in width and twenty (20) feet in length and shall not be located on the street right-of-way. The residential driveway shall conform to the driveway design requirements as specified in Section 406.4(A)(2).
2. In Residential zoning districts all vehicles shall be parked on permanently hard-surfaced driveways or parking areas.

**F. Parking area construction standards**

1. *Paving:* All off-street parking areas, aisles and access driveways shall be permanently paved with hard-surfaced pavement. All portions of access driveways on public right-of-way connected to paved streets for which the grade has been established must be permanently paved with hard-surfaced pavement and comply with all Yukon city codes relating to driveway construction. Permanent hard-surfaced pavement shall mean a surface covering over earth, gravel or other natural or artificial base or foundation which shall meet or exceed the following minimum standards:
  - a. Two (2) inches of hot asphaltic concrete on a four-inch base of stabilized aggregate or the equivalent thereto, which has been approved by the city staff; or
  - b. Four inches of Portland cement concrete on a two-inch sand cushion base or the equivalent thereto, which has been approved by the city staff.
  - c. All portions of access driveways on public right-of-way: six (6) inches of Portland cement concrete on a two-inch sand cushion or the equivalent thereto, which has been approved by the city staff.

## 2. Dimension standards:

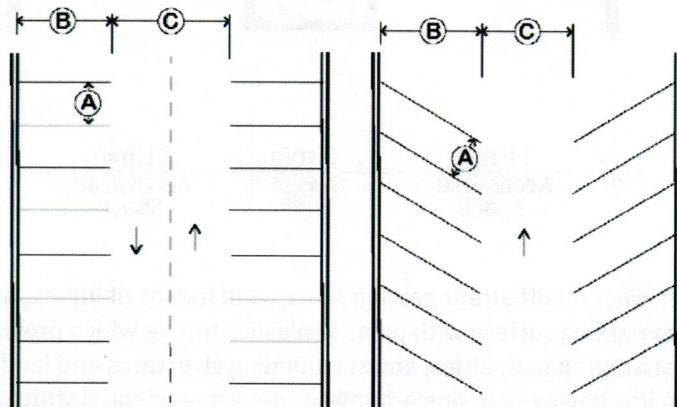
## a. Parking Dimensions Table

Parking Angle (degrees)	Stall Width A	Stall Length B	Aisle Width	
			One Way C	Two Way C
90	9'	20'	24'	24'
60	9'	21'	18'	22'
45	9'	19.1'	18'	20'
0	9'	24'	14'	20'

Parking Angle: 90

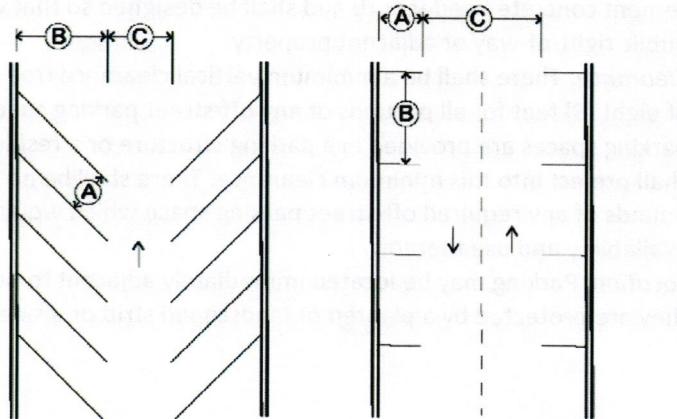
Parking Angle: 60

**(A)** Stall Width  
**(B)** Stall Length  
**(C)** Aisle Width

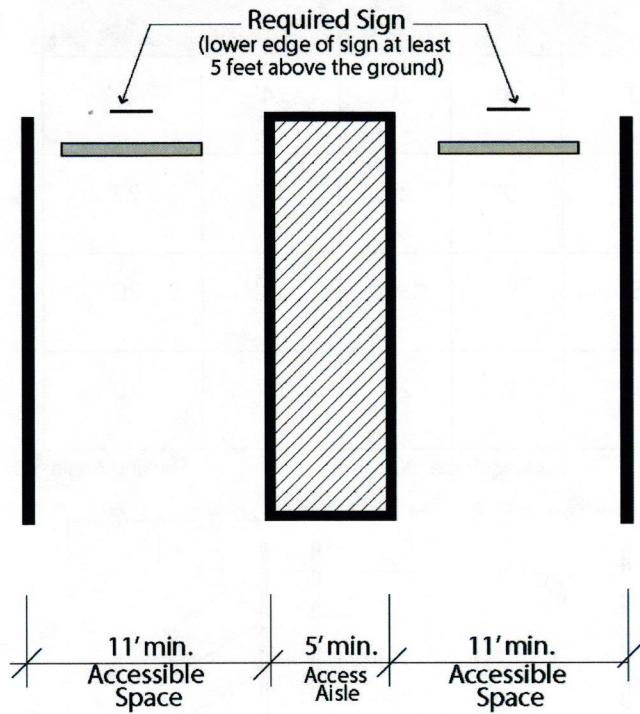


Parking Angle: 45

Parking Angle: 0



b. Accessible: Accessible parking spaces shall comply with ADA Accessibility Guidelines (ADAG). Individual spaces shall have an additional five foot-wide, diagonally striped aisle abutting the passenger side of the space. If such spaces are provided in adjacent pairs, then one five-foot aisle may be shared between the two spaces. The aisle must be at the same grade as the accessible space and any adjacent sidewalk must slope to meet the grade of the aisle. The slope may not exceed 1:12. The spaces shall be painted and striped with a four-inch striping.



3. *Striping:* All off-street parking spaces and means of ingress and egress shall be laid out on the parking surface with paint or plastic striping which provide a permanent delineation between spaces, aisles, and surrounding structures and land. No striping shall be required on lots having only single-family or duplex residential structures.
4. *Separation from Public Right-of-Way:* All off-street parking areas, aisles and access driveways that abut public street right-of-way shall be separated by a six-inch Portland cement concrete header curb and shall be designed so that vehicles do not overhang public right-of-way or adjacent property.
5. *Clearance:* There shall be a minimum vertical clearance free of all obstructions to a height of eight (8) feet for all portions of any off-street parking space, except when off-street parking spaces are provided in a parking structure or a residential garage. No obstruction shall project into this minimum clearance. There shall be no obstruction within or near the bounds of any required off-street parking space which would interfere with the normal availability and use thereof.
6. *Location:* Parking may be located immediately adjacent to buildings or structures provided they are protected by a planted or landscaped strip or a sidewalk and curb.

#### **G. Off street parking within or adjacent to residential district**

Whenever off-street parking lots serving churches, schools, commercial, industrial, parks, public, or multifamily facilities are to be located within or adjacent to a residential district, the following provisions shall apply.

1. All sides of the lot within or abutting the residential district shall be enclosed with a screening wall, fence, or landscaping as specified under Section 505.E. Required Buffers.
2. No commercial parking shall be permitted within a front yard in a residential district.
3. Driveways used for ingress and egress shall be confined to and shall not exceed twenty-five (25) feet in width, exclusive of curb returns, unless approved by the city staff.
4. All of the lot used for parking and driveway purposes shall be paved with a sealed surface pavement.
5. Whenever lighting is provided, it shall be arranged so that all light is deflected from adjoining residential uses, and according to Section 506.

#### **H. Accessible parking**

##### **1. Required Accessible Parking Spaces Table**

<b>Total Number of Parking Spaces in Facility (lot or garage)</b>	<b>Required Number of Accessible Spaces*</b>
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total
Over 1000	20 plus 1 for each 100 over 1000

**\*Hospital outpatient facilities must provide 10% of patient/visitor spaces as accessible**

**\*Rehabilitation facilities that specialize in treating mobility-related conditions and outpatient physical therapy facilities must provide 20% of patient/visitor spaces as accessible**

2. *Signs:* Accessible parking spaces must be identified by signs that include the International Symbol of Accessibility and according to the Americans with Disabilities Act (ADA). Signs should be mounted so that the lower edge of the sign is at least five (5) feet above the ground.
3. *Location:*
  - a. At least one accessible route shall be provided from accessible parking and accessible passenger loading zones, and public streets or sidewalks to the accessible building entrance they serve.

- b. At least one accessible route shall connect accessible buildings, facilities, elements, and spaces that are on the same site.
- c. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements and with all accessible dwelling units within the building or facility.

#### I. Queuing

Where queuing spaces are provided (number of queuing spaces required can be found in Section 504.L.); they shall conform to the following standards:

1. No queuing space may occupy any portion of a public right-of-way.
2. Queuing spaces shall be a minimum of nine (9) feet in width and eighteen (18) feet in length.
3. Queuing spaces may not be used to satisfy the off-street parking or loading requirements of this section.
4. Queuing spaces may be provided in the primary access aisle leading to a drive-in or drive-through facility.
5. Double queuing lanes are allowed, provided all other standards are met.

#### J. Aisle standards

1. Aisles located immediately adjacent to buildings or structures shall be separated by one of the following methods:
  - a. A planted or landscaped strip not less than five (5) feet in width, excluding curb, protected by a six-inch concrete curb;
  - b. A sidewalk of not less than four (4) feet in width, excluding curb, protected by a six-inch concrete curb.
2. A drive-in window shall not project more than one foot into an aisle.

#### K. Off-street loading

1. *Off-Street Loading Space Required:* Every new industrial, commercial, office and civic building hereafter erected or expanded shall provide space, as indicated herein, for loading and unloading of vehicles. The number of off-street loading spaces required by this section shall be considered as the absolute minimum, and the owner/applicant shall evaluate his own needs to determine if they are greater than the minimum specified by this section.
2. *Size of Off-Street Loading Spaces:* All off-street loading spaces shall have the minimum dimensions of twelve (12) feet by sixty (60) feet and fifteen (15) feet overhead clearance. In no case shall a required off-street loading space encroach upon off-street parking space required under this section, or on public right-of-way. No maneuvering shall be permitted on public right-of-way.
3. *Number of Off-Street Loading Spaces Required:*
  - a. Retail, commercial and industrial: 0—12,000 square feet of gross floor area, none required; 12,001—48,000 square feet of gross floor area, one space required; and 48,001 and over square feet of gross floor area, two (2) spaces required.

- b. Office and civic: 0—48,000 square feet of gross floor area, none required; 48,000—100,000 square feet of gross floor area, one space required; and 100,001 and over of square feet of gross floor area, two (2) spaces are required.
- 4. *Design of Loading Space:* Off-street loading spaces shall be designed so that vehicles shall maneuver entirely within the property lines of the premises and not on public right-of-way. Unenclosed off-street loading areas shall be permanently paved with hard-surfaced pavement. A six-inch header curb must also be constructed to separate a loading area from public right-of-way.

#### L. Off-street parking requirements

The following lists uses and corresponding off-street parking requirement. In cases where a use has no specific off-street parking requirement the Director, or designated representative shall make a determination of requirement.

Table L.1: Residential Uses Off-Street Parking Requirements

<b>Use Type</b>	<b>Required Off-Street Parking</b>
Accessory dwelling unit; Dwelling, above the ground floor	1 per dwelling unit
Duplex, Triplex, Four-plex	2 per dwelling unit
Multi-family	
Efficiency and 1 bedroom	1.5 per dwelling unit
Two or more bedrooms	2 per dwelling unit
Single-family (attached, detached, mobile/manufactured home)	2 per dwelling unit
Boarding, dormitory or rooming house	1 per each guest room
Group home	½ per occupant
Convalescent home, nursing home or assisted living facility	1 per every 3 beds + 1 per 300 sf of administrative area

Table L.2: Public/Institutional Uses Off-Street Parking Requirements

<b>Use Type</b>	<b>Required Off-Street Parking</b>
Cemetery	Director determination
Government administration and civic buildings	1 space per 300 sf of GFA
Municipal or community recreation center	1 per 300 sq ft of GFA
Places of assembly	1 per 4 seats
Correctional facility	Director determination
Public safety facility	1 per 300 sq ft of GFA
Public art gallery, museum, or library	1 per 400 sq ft of GFA
Child care center; Home day care; Home day care, large	1 per 400 sq ft plus 1 additional space for pick-up/drop-off
Elementary school; Middle or junior high	1 per 10 classroom seats
Trade or technical school; College or university; High school	1 per 4 classroom seats

<b>Use Type</b>	<b>Required Off-Street Parking</b>
Hospital; Micro or specialty hospital	2 spaces per bed plus 1 space per 500 sq. ft. gross floor area of emergency room and outpatient care (where such care is specifically provided)
Arboretum or botanical garden	1 per 400 sq ft
Campground	1 per reservable site
Community playfields and parks	Director determination
Telecommunications facility	
Freestanding Tower	None
Broadcasting or recording studio	1 per 300 sq ft GFA
Building or tower-mounted antenna	None
Airport	Director determination
Bus and passenger train terminal	Director determination
Utility facility, major and minor	Director determination

Table L.3: Commercial Uses Off-Street Parking Requirements

<b>Use Type</b>	<b>Required Off-Street Parking</b>
Agriculture, animal raising, crops, horticulture	None
Animal Sales and Services	1 per 300 sq ft GFA
Bar/night club	1 per 50 sq ft GFA
Catering facility	1 per 300 sq ft GFA
Fruit and vegetable market	1 per 300 sq ft of sales area
Restaurant, drive-in, and/or without drive-thru	1 per 100 sq ft GFA (including outdoor serving areas)
Restaurant as above, with the serving of alcohol	1 per 50 sq ft GFA (including outdoor serving areas)
Restaurant, drive-thru	1 per 100 sq ft GFA + minimum 8 stacking spaces, measured from pick-up window
Restaurant, drive-thru without indoor dining or pick-up	2 spaces + minimum of 16 stacking spaces, measured from pick-up window
Micro food and/or beverage production	1 per 300 sq ft of GFA for sales
Office – medical, business, or professional	1 per 300 sq ft GFA
Research laboratory	1 per 500 sq ft GFA
Outdoor recreation and entertainment	
General outdoor recreation; Major entertainment facility; Racetrack	1 per 4 seats; 2 spaces per 3 holes; or Director determination
RV campground/park	1 per $\frac{1}{2}$ spaces
Shooting range	1 per shooting lane
Zoo	1 per 400 sq ft
Indoor recreation and entertainment	
Sexually Oriented Business	1 per 300 sq ft GFA
Personal services	Director determination
Personal storage	1 per 400 sq ft GFA

<b>Use Type</b>	<b>Required Off-Street Parking</b>
	1 per 10,000 sq ft GFA of all buildings (including office)
Retail	1 per 300 sq ft GFA
Vehicles and equipment	
Boat and/or RV storage	1 per 10,000 sq ft GFA of all buildings (including office)
Car wash (full service)	5 spaces, plus stacking area after wash tunnel equal to two (2) times capacity of the tunnel
Parking structure	None
Stand along-parking lot	None
Vehicle sales and rental	1 per 5,000 sq ft GFA of sales area
Vehicle service and repair, heavy and light	1 per 500 sq ft GFA of service/shop area
Accommodation	1 per guest room plus 1 space per 300 sq ft of meeting, restaurant/bar area

Table L.4: Industrial Uses Off-Street Parking Requirements

<b>Use Type</b>	<b>Required Off-Street Parking</b>
Crematorium, without funeral parlor or public area	1 space per 400 sf of office area
General industrial service	See Schedule A
Manufacturing and Production	1 per 1,500 sq ft GFA
Agriculture, hog raising	Director determination
Agriculture, animal processing	Director determination
Mining and Processing	Director determination
Mini-Storage	1 per 3,000 sq ft of storage area
Motor Freight Terminal	1 per 750 sq ft
Office warehouse	1 per 300 sq ft of office GFA
Storage yard	See Schedule A
Warehouse	See Schedule A
Wholesale establishment	See Schedule A
Auto salvage yard	Director determination
Scrap operations	Director determination
Recycling center	Director determination
Solid waste disposal	Director determination

Schedule A: Off-street Parking for Warehousing/vehicle service/manufacturing area

1 – 3,000 square feet	1 per 300 sq ft
3,001 – 5,000 square feet	1 per 650 sq ft
5,001 – 10,000 square feet	1 per 750 sq ft
10,001 – 50,000 square feet	1 per 1,250 sq ft
50,001+ square feet	1 per 1,500 sq ft

5. *Off-street Parking Requirements Reductions:* The number of required parking spaces may be reduced by utilizing any of the following methods, provided the total reduction does not exceed 15 percent of the minimum parking requirement.
  - a. **Increased Landscaping:** For each reduction in one parking space 10 additional plant points shall be provided.
  - b. **Bicycle Parking:** The number of required parking spaces may be reduced by one space for every two bicycle parking spaces installed, provided:
    - i. Bicycle parking is located no farther than the closest vehicle parking space and is located proximate to a pedestrian connection to the main building.
    - ii. Each space is constructed on or over a paved surface and includes a durable, securely anchored device, of a style illustrated below, that supports the frame of the bicycle in a minimum of one place and accommodates a U-shaped lock or cable lock to secure the frame and at least one wheel.
  - c. **Motorcycle and Scooter Parking:** The number of required parking spaces may be reduced by one space for every two motorcycle or scooter parking spaces installed, provided the minimum size of each individual space is four feet by seven feet.
  - d. **On-street Parking:** The number of required parking spaces may be reduced by one space for every one delineated on-street parking space immediately abutting the site, provided:
    - i. The on-street parking space is located within 200 feet of the building; and
    - ii. Pedestrian access is provided from the on-street parking to the building
  - e. **Administrative Adjustment:** If the maximum parking reduction of 15 percent has been met by the options above, the Director, or designee, may approve an additional reduction of up to five (5) percent in the number of required parking spaces for a particular site, so long as it clearly can be determined that the reduced number of parking spaces can accommodate the anticipated parking demand of the site, and there will be no adverse impact to the abutting streets or other uses in the vicinity. The request for Administrative Adjustment must be made in writing and should outline the justification demonstrating that the proposed parking is sufficient.
  - f. **Central Business:** No minimum off-street parking shall be required within the Central Business District.
  - g. **I-40 Corridor Overlay:** Shared parking shall be allowed to reduce the off-street parking requirements within the overlay, provided the applicant supplies a written justification demonstrating that the proposed parking is sufficient.

h. Authority to Reimpose: If the parking, once reduced, is found to be insufficient for the use, causing disruption to traffic flow on the public way or parking occurring where not allowed the Director, or designee, shall have the authority to revoke the off-street parking reduction and require compliance with Section 504.L. Off-Street Parking Requirements.

## Section 505. Landscaping and Screening

### A. Purpose and Intent

The purpose of this section is to ensure that landscaping is provided to:

1. Protect and enhance the visual appeal of the City of Yukon.
2. Contribute to high-quality development.
3. Conserve water resources by using sustainable design, maintenance techniques, and plant species that are drought-tolerant and regionally appropriate.
4. Reduce stormwater runoff in parking areas and other impervious areas.
5. Buffer potentially incompatible neighboring land uses.

### B. Applicability

These landscaping and screening standards shall apply to all new development and redevelopment unless otherwise exempted in this UDC.

1. *Expansions and Enlargements:* These landscaping standards shall apply to the following:
  - a. The gross floor area of an existing structure is expanded or enlarged by 25 percent or more.
  - b. There is a change of use of the existing building that requires an increase in off-street parking.
  - c. Any expansion or enlargement of a structure or use that requires a special permit.
2. *Site Improvements:* These landscaping standards shall apply when major parking area improvements are made including reconfiguring, reconstructing, or other similar projects. These standards shall also apply to a significant remodel to the exterior of a structure (façade) amounting to more than 50% of an exterior change. Significant remodel does not include painting or ordinary maintenance and repairs. Resurfacing and re-striping projects are not considered major improvements.

### C. Exemptions

These landscaping and screening standards shall not apply to:

1. Development in the Agricultural District.
2. Development in the Central Business District, except for new surface parking lots within 20 feet of right-of-way.
3. Public parks and open spaces.
4. Cemetery, Home Day Care, Telecommunication facility, Transportation facility, and Utility uses.
5. Reconstruction of any building that is damaged or destroyed by tornadoes, straight-line winds, ice storms, accidental fire, floods, hail, lighting, or other forces beyond the reasonable control of the property owner.
6. Any non-residential or mixed-use development of less than 5,000 square feet.
7. Temporary uses as outlined in Article 3. Section 307 of this UDC.
8. Any expansion or enlargements that do not meet the thresholds identified in Section 505.B. Applicability.

### D. Required Landscaping

1. The following are the minimum landscape standards required for Commercial, Industrial, Multifamily, Mixed-use, Mobile/manufactured home park, Group Living, and Public/Institutional uses.
  - a. A minimum of 8 (eight) percent of the total site area shall be landscaped for all applicable Districts. Not less than 50% of this area shall be in the front and side yards.
  - b. A minimum of 10 (ten) percent of the total site area shall be landscaped in the OR, Office Research District, and the I-40 Corridor Overlay District. Not less than 50% of this area shall be in the front and side yards.
  - c. For industrial uses that do not abut residential uses or districts the minimum landscaping may be reduced to 4 (four) percent of the total site area.
  - d. There shall be a minimum of 20 plant points provided for every 400 square feet of required landscape area.
    - i. A minimum of 50 (fifty) percent of total plant points required shall be trees. No single tree species should account for more than 33 (thirty-three) percent of the new trees on sites where 150 or more tree plant points are required.
    - ii. A minimum of 25 (twenty-five) percent of total plant points shall be evergreen.
  - e. For each additional parking space provided over the required amount 2 additional plant points shall be required.
  - f. No parking space shall be more than 75 feet from a tree.
  - g. Trees shall not be planted with trunks closer than 5 feet to any underground utility.
  - h. Plant materials with a mature height of greater than 2 feet shall not be planted in sight triangles.
  - i. Plant materials with a mature height of greater than 20 feet shall not be planted under overhead utilities.
2. The following are the minimum landscape standards required for single-family (attached, detached, zero lot line), mobile/manufactured home subdivision, duplex, triplex and fourplex uses.
  - a. At least one Street or Shade Tree, or two Small or Ornamental Trees, shall be planted within the front yard for every 75 feet or fraction thereof of frontage.

#### **E. Required Buffers**

Buffers are intended to create a smooth transition between residential and non-residential areas by providing an attractive physical buffer between the uses or residential developments and arterial streets. The buffers in this section are required in addition to the Required Landscaping in D. above.

1. *Perimeter Landscape Buffers:* Where development within commercial, industrial districts, or PUD or SPUD with commercial or industrial uses/tracts abuts Agricultural or Residential Districts must provide one of the following buffering methods along the entire length of the abutting lot line(s).
  - a. A sight-proof fence and trees planted 25 feet on center.
  - b. A sight-proof fence and evergreen trees/shrubs planted 25 feet on center.
  - c. An evergreen buffer, six (6) feet in width, planted with evergreen plantings of at least 6-feet in height at time of planting, and spaced in a manner to provide an opaque visual barrier.

2. *Residential Subdivision Buffers:* The purpose of Residential Subdivision Buffers is to provide a landscaped buffer consisting of any combination of trees, shrubs, grasses, groundcovers arranged in a manner to achieve visual continuity and located on the outside of a residential subdivision (single-family, zero lot line, duplex, triplex, four plex, mobile/manufactured home park or subdivision) where adjacent to arterial streets. If a fence is provided or required, the Residential Subdivision Buffer shall be located on the outside of the fence.

- A minimum of 4 plant points for every 20 feet of frontage along an arterial street shall be required.
- No single species shall account for more than 33 (thirty-three) percent of required plant points.
- Plantings with mature heights over 20 feet shall not be planted beneath overhead utility lines.

#### F. Plant Units and Landscape Materials

LANDSCAPE MATERIAL	MINIMUM SIZE AT PLANTING	PLANT POINTS
Shrubs, perennials, ornamental grasses, and ground covers	1 gallon (or smaller pots in quantity to equal volume)	1
	2 gallon	2
	3 gallon	3
	5 gallon	5
Evergreen tree or large shrub	5 to 7 feet tall	10
Street or Shade Tree	2.5" caliper	15
Small or Ornamental Tree	1" caliper	10

- A list of suggested landscape materials can be found on record with the Development Services Department. The list is not meant to be exhaustive or prohibit the planting of species other than those found on the list.
- Species planted shall be appropriate to Yukon's climate and USDA Hardiness Zone.

#### G. Landscaping Plan

A landscaping plan shall be submitted for all building permits on projects to which Landscaping Requirements apply in Section 505.B. The landscaping plan shall include the following information:

- North arrow and scale.
- Location of existing property lines and dimensions of the tract.
- The location of all existing and proposed buildings, sidewalks, and parking areas, including the exact number of parking spaces provided.
- The location, size, type, spaces, and quantity of all proposed plant materials, including common and/or scientific name of species.
- Method of irrigation.
- A table listing the following:
  - Total site area in square feet
  - Percentage of landscaped area required, and square footage of landscaped area required.

- c. Square footage of landscaped area required in front and side yards, and square footage of landscaped area provided in front and side yards
- d. Number of parking spaces required
- e. Number of parking spaces provided and corresponding additional plant points
- f. Total plant points required and provided including
  - i. Evergreen plant units
  - ii. Tree plant units

#### **H. Irrigation**

1. All landscaped areas shall be irrigated by one of the following methods.
  - a. A hose attachment within 100 feet of all required landscape areas.
  - b. An automatic or manual underground, or automatic water saving system, equipped with rain and freeze sensors.
2. Method of irrigation shall be in place and working at the time of inspection for occupancy and shall be kept operational at all times.
3. The Development Services Director, or designee, may allow alternative irrigation systems provided the applicant can demonstrate that compliance with the above provisions is not feasible, and the proposed alternative system will be sufficient to ensure plant health.

#### **I. Compliance**

1. The Development Services Director, or designee, is expressly authorized to approve an alternative compliance landscape plan for installation of plant materials in alternative locations when circumstances prevent planting within the areas described in this Section or when compliance would result in a poor growing environment for the plant materials or damage to public or private improvements as long as the intent of this UDC and Section are met.
2. Any landscaping found by the Development Services Director or their designee to be dead or in declining condition shall be replaced within 30 days of written notice thereof by regular or certified mail to the owner or owner's address or, if unknown, to the owner at the property address or as shown on the rolls of the county assessor.
3. The property owner has the responsibility to maintain all landscaping on site.

## Section 506. Outdoor Lighting

### A. Purpose and Intent

The outdoor lighting regulations of this section are intended to help ensure adequate lighting for motorized and nonmotorized travelers; provide for the efficient use of energy; and reduce the impacts of nuisance lighting and glare on nearby uses.

### B. Applicability and exemptions

The outdoor lighting regulations of this section apply to all outdoor lighting installed after the effective date of this ordinance, except that they do not apply to any of the following:

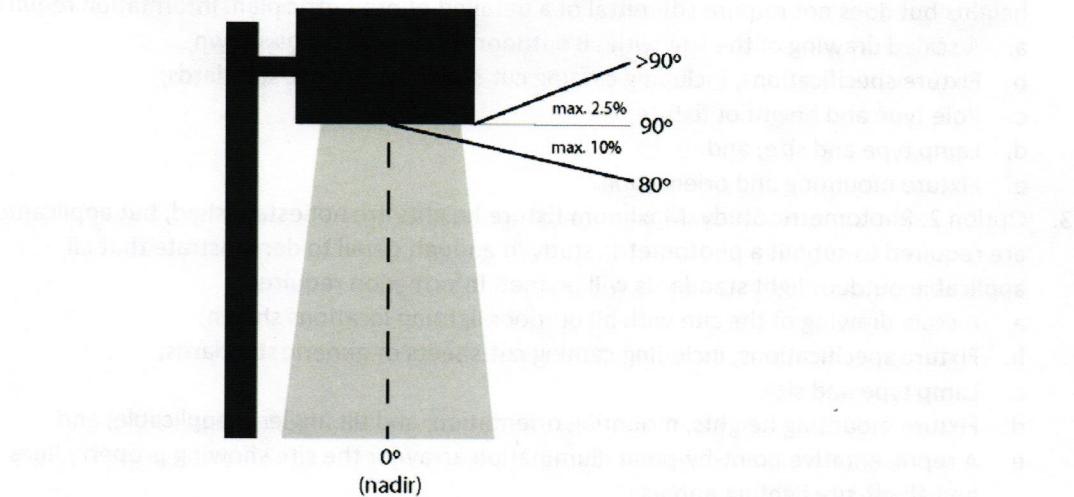
1. Outdoor lighting on lots occupied by residential buildings containing fewer than four (4) dwelling units;
2. Motion sensor lights which shine for not longer than 20 minutes after activation;
3. Public street lights;
4. Airport runway and aviation safety lights required by the FAA;
5. Spotlighting of official government flags if the spotlighting is contained within the area of the flag;
6. Outdoor lighting used exclusively for and during public recreational activities, sporting events at stadiums and ball fields or other outdoor public spaces or venues;
7. Outdoor lighting used for emergency equipment and work conducted in the interest of law enforcement or for public, health, safety or welfare;
8. Outdoor lighting in association with special events approved by the City Council;
9. Outdoor lighting used for a temporary use lasting no more than ten (10) days;
10. Lighting fixtures with a light output of no more than one thousand (1,100) lumens; and
11. Temporary holiday light displays.

### C. General Standards

All outdoor lighting must comply with the following general standards:

1. Canopy-mounted lights. Recessed fixtures must be used in all under-canopy lighting. No lamps, reflectors, refractors or focusing or diffusing may extend below the underside of the canopy surface.
2. Wall pack lights. Wall packs on buildings may be used at entrances to a building, not to provide general building or site lighting. Wall packs on exterior of a non-residential building shall be fully shielded (true cut-off type bulb or light source not visible from off-site) where abutting residential district or use.
3. Arrangement and shielding.
  - a. Lighting must be installed to shield and direct light away from abutting lots that are not under common ownership or control with the lot on which the lights are located. Shielding must be designed and installed to ensure that the light-producing element of the fixture is not visible from on the abutting property, as measured five (5) feet above grade.
  - b. Light-producing elements must be concealed or shielded with cutoffs so that no more than two and one-half (2.5 percent of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle of more than ninety (90 degrees)

above nadir (zero) and no more than ten (10) percent of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle of more than eighty (80) degrees above nadir (zero).



- Spillover light. Light trespass along the lot line of the subject property may not exceed 0.5 foot-candles when abutting an agricultural or residential zoning district and may not exceed 3.0 foot-candles when abutting any other zoning district or public right-of-way. Maximum illumination levels are measured three (3) feet above grade or from the top of any opaque screening fence or wall along the property line.
- Maximum fixture heights. Allowable heights of light fixtures must be measured from the light-emitting surface to finished grade at the base of the pole. Maximum allowed light fixture heights are based on the (ground-level) horizontal distance between the light fixture and any agricultural or residential zoning district, or right-of-way as established in Table 506-1. These heights may be exceeded if shown to be in compliance through a photometric plan/study as outlined in Section 506.5.C.

**Table 506-1: Maximum Light Fixture Heights**

Distance from Agricultural or Residential Districts (feet), or right-of-way	Maximum Fixture Height (feet)
0 - 50	16
50.01 - 250	20
More than 250	35

#### D. Lighting plans.

- General. Outdoor lighting plans demonstrating compliance with the standards of this section are required with the submittal of a building permit in all non-residential districts. Applicants have two (2) options for the format of the required lighting plan.
  - Submit a lighting plan that complies with the fixture height lighting plan requirements of Section 506.C.

- b. Submit a photometric plan/study demonstrating that compliance will be achieved using taller fixture heights
2. Option 1: Fixture Height Stand Lighting Plan. This option establishes maximum light fixture heights but does not require submittal of a detailed photometric plan. Information required:
  - a. A scaled drawing of the site with all outdoor lighting locations shown;
  - b. Fixture specifications, including catalog cut-sheets or generic standards;
  - c. Pole type and height of fixture;
  - d. Lamp type and size; and
  - e. Fixture mounting and orientation.
3. Option 2: Photometric Study. Maximum fixture heights are not established, but applicants are required to submit a photometric study in enough detail to demonstrate that all applicable outdoor light standards will be met. Information required:
  - a. A scale drawing of the site with all outdoor lighting locations shown;
  - b. Fixture specifications, including catalog cut-sheets or generic standards;
  - c. Lamp type and size;
  - d. Fixture mounting heights, mounting orientation, and tilt angles if applicable; and
  - e. A representative point-by-point illumination array for the site showing property lines and all off-site lighting impacts.

#### **E. Non-conforming Light Fixtures.**

All outdoor lighting fixtures legally existing and installed prior to the effective date of this UDC and which is not exempted shall be considered nonconforming and shall be brought into compliance by the property owner as follows:

1. Compliance is required when applying for a building permit, sign permit, new business license, site plan review or similar City permit; or if site improvements, construction, reconstruction, expansion, alterations, or modifications cumulatively equal or exceed 50% of the existing site or structure.
2. All damaged or inoperative nonconforming lighting shall be replaced or repaired only with lighting equipment and fixtures compliant with this chapter.
3. All outdoor lighting not exempted shall be brought into conformance with this Section within 10 years from the effective date of this UDC.

#### **Section 507. Outdoor Storage and Display**

Within all districts, all activities must be conducted entirely within an enclosed structure, except for the following uses and activities:

1. Parking lots
2. Park/playground, conservation areas, and similar open space uses
3. Establishments with a permitted outdoor component, including, but not limited to, agriculture; heavy manufacturing; vehicles and equipment; major retail; major entertainment facilities; major utility facilities; transportation facilities; storage yards; waste and salvage operations; outdoor dining; and similar businesses.
4. Permitted outdoor storage, and outdoor sales and display areas.
5. Permitted outdoor temporary uses.

### Section 508. Signs

#### A. Purpose and Intent

It is the intent and purpose of this section to establish effective sign regulations which recognize the public as well as private interest and investment in our environment. This chapter is intended to promote economic and business development while protecting and reducing distractions and obstructions that may contribute to traffic accidents by prohibiting unsafe signs. Further, the purpose of this chapter is also to regulate the number, size, and location of signs, cause the removal of abandoned signs, and protect the health, safety, welfare, convenience, and enjoyment of the city for its residents and visitors. This section shall apply to the display, construction, erection, alteration, use, location, and maintenance of all signs within the city. This section does not apply to public informational and safety signs, or signs required by local, state, or federal law.

#### B. Measurement Standards

See Article 2. Section 204. Rules of Measurement

#### C. Signs Permitted

##### a. Agricultural and Residential Districts

	On-premise	Wall or Attached	Electronic Message Display (EMD)
A	One (1) sign per frontage, not exceeding twelve (12) square feet in surface area nor fifteen (15) feet in height, and illumination, if any, shall be by constant light.	One (1) nonilluminated nameplate not exceeding two (2) square feet in area, per lot.	Special Permit
RR	Entrance sign allowed for developments of more than three lots, not exceeding fifty-four (54) square feet in surface area and eight (8) feet in height. Any illumination shall be by constant light. Entrance sign may be located in a median when provisions are made for permanent maintenance by property owner's association, and sign is no taller than three (3) feet. No more than two (2) sign sides per frontage.	None	Not Permitted
R-1			
R-2			
R-3	Entrance sign not exceeding fifty-four (54) square feet in surface area and eight (8) feet in height. Any	One (1) nonilluminated nameplate not exceeding twenty-four (24) square feet in area, per building.	

	On-premise	Wall or Attached	Electronic Message Display (EMD)
MH	illumination shall be by constant light. No more than two (2) sign sides per frontage.	One (1) nonilluminated nameplate not exceeding two (2) square feet in area, per lot.	Not permitted

## b. Commercial and Industrial Districts

District	On-premise	Wall or Attached	Off-premise	Electronic Message Display (EMD)
C-O	One sign not exceeding 32 square feet in display area, height shall not exceed 10 feet.	Not to exceed total combined display area equal to 2 square feet per lineal frontage.		Not permitted
C-N	One (1) sign of 2 square feet of display surface area per lineal foot of frontage. Ground or pole signs height shall not exceed 15 feet.	Not to exceed total combined display area equal to 2 square feet per lineal frontage.	Not permitted	
C-G				Special Permit
C-H	One (1) sign of 2 square feet of display surface area per lineal foot of frontage, height shall not exceed the maximum structure height allowed in the district.	Not to exceed total combined display area equal to 3 square feet per lineal frontage.	Special Permit, only within 100 feet of I-40 ROW	Special Permit
I-1			Special Permit, only within 100 feet of I-40 ROW	Special Permit
I-2			Special Permit, only within 100 feet of I-40 ROW	Special Permit

## c. Special Purpose Districts

DISTRICT	Freestanding on-premise	Wall or Attached
CB	One sign not exceeding 32 square feet in display area, height shall not exceed 10 feet. Properties with buildings at or within 5 feet of the property line are prohibited from freestanding signs.	Not to exceed total combined display area equal to 2 square feet per lineal frontage. Properties with buildings at or within 5 feet of the property line are allowed a total combined display area equal to 4 square feet per lineal frontage. Window signs contribute to the total combined display area.
O-R	One monument sign allowed per 200 linear feet of frontage with a sign area of 1 square foot per 2 linear feet of frontage up to 100 square feet.	5 percent of wall area, up to 200 square feet.

**D. Development Standards****a. On Premise Signs**

- i. Freestanding signs may be either pole or monument type but must be installed on an adequate base and foundation to support the sign.
- ii. No portion of a projecting sign shall extend more than four (4) feet from the face of the building and the outermost portion of a projecting sign shall project no closer than five (5) feet from a curbline or shoulder of a public street.
- iii. Signs shall be constructed of durable materials, using non-corrosive fastenings and be structurally safe.
- iv. Signs which project over a sidewalk or other public or private path shall have a minimum clearance of eight (8) feet.

**b. Off-Premise Signs**

- i. Signs shall be constructed of durable materials, using non-corrosive fastenings and be structurally safe.
- ii. Display surface area shall not exceed 672 square feet per sign face, except for a 20 percent allowance for extensions and cutouts.
- iii. Maximum sign width shall be 60 feet.
- iv. Maximum sign height shall be 35 feet above grade; and 35 feet above elevated road level if adjacent to elevated roadway.
- v. Minimum clearance of 12 feet shall be maintained from ground level at base of sign to the bottom of the sign face or to the bottom of the deck, whichever is lower.
- vi. Regardless of the applicable zoning, no sign displayed to be read from a divided, limited access roadway with four or more traffic lanes, shall be constructed, erected, placed, or replaced closer than 1,000 feet to another off-premise sign facing in the same direction and on the same side of the roadway from which the sign is intended to be read.
- vii. No off-premise sign shall be constructed, erected, placed, or replaced closer than 300 feet to the nearest residentially zoned property.

**c. Electronic Message Display (EMD) Signs**

- i. Such signs shall display static images for a period of at least eight seconds before transitioning to another static image.
- ii. Transitions from one static image to the next may display frame effects so long as the use of animation and/or flashing as defined in this chapter are prohibited.
- iii. No such sign, if the illuminated portion of such sign is visible from an R zoning district other than street, highway or freeway right-of-way, or if the illuminated portion of such sign is visible from a designated residential development area, shall be located within 300 feet of such district or area. The 300 feet shall be measured in a straight line from the nearest visible illuminated point on a sign structure to the nearest point of an R zoning district or Residential development area boundary line.
- iv. No sign shall exceed a brightness of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area. The measurement distance shall be calculated with the following formula:  
The square root of the product of the sign area and 100.
  1. Example using a 12 square foot sign: Measurement Distance =  $\sqrt{12 \text{ Sq. Ft.} \times 100} = 34.6$

2. The standard for brightness adjustment as ambient light intensity declines shall be a maximum increase in light intensity from the digital sign of 0.3 foot candles over ambient levels as measured using a foot candle meter at a pre-set distance in accordance with the following procedure:
  3. At least 30 minutes past sunset, record the ambient light using a foot candle meter for the area while the sign is off or displaying all black copy, with the meter located directly in front of and aimed directly at the sign at the appropriate distance.
  4. Turn on the sign to display all white and take another measurement in accordance with the same procedure.
  5. If the difference between the measurements is 0.3 foot candles or less, the brightness is properly adjusted, otherwise the sign must be adjusted to comply with the brightness adjustment standard set forth above.
    - a. No such sign shall display an illuminative brightness of such intensity or brilliance that it impairs the vision or endangers the safety and welfare of any pedestrian, cyclist, or person operating a motor vehicle.
    - b. No such sign shall resemble or simulate any warning or danger signal, or any official traffic control device, sign, signal or light.
- v. The display area of the sign shall utilize dimming technology which automatically adjusts the brightness of the sign based on ambient light conditions. A certificate signed by the sign contractor that the electronic message display (EMD) sign will be so equipped.
- vi. The display area of the sign is not allowed to resemble or simulate any warning or danger signal or any official traffic control device, sign, signal or light or to cause a driver to mistake the sign for a warning or danger sign.
- vii. The display area of the sign is not allowed to operate unless it is equipped with a default mechanism that shall freeze the sign in one position of static message if a malfunction occurs or shall be manually turned off within six hours of a reported malfunction.
- viii. Use of sound is prohibited in all zoning areas.
- ix. For illuminated signs, a statement declaring the sign's brightness, image change rate and transition time shall be submitted; along with electronic sign application which declare the type of software used, programming details and specify how the photo cell will operate.

#### **E. Restrictions**

- a. No light, sign or other device shall be designed or erected to imitate or resemble any official traffic sign, signal, or device or otherwise direct maneuvering of vehicles or creates in any way an unsafe distraction for motor vehicle operators.
- b. No sign shall be attached to or painted on any tree, utility pole, curb, sidewalk or streetlight.
- c. No sign shall be located within the sight triangle of any intersection.
- d. No sign shall be placed in or project into any public easement or right-of-way without first receiving approval of a Revocable/Right-of-way Permit.
- e. Only nonintermittent white lighting of signs shall be permitted.
- f. The following signs shall not be permitted, erected or maintained in the city:
  - i. Flares.
  - ii. Wind signs, except for grand opening signs.

- iii. Signs which incorporate projected images or emit any sound which is intended to attract attention.
- iv. Any sign, together with its supporting structure, now or hereafter existing which, 90 days or more after the premises have been vacated.
- v. Any sign which identifies a home-based business defined in Article 3. Section 306.
- vi. Signs not permanently affixed or attached to the ground or to any structure, including A-frame-type signs, except for real estate signs attached to posts driven into the ground, window signs and temporary barriers. A-frame-type signs shall be permitted in the Urban Core Overlay District as long as a 4-foot wide clear path can be maintained up on the public sidewalk.
- vii. Any sign or sign structure which is structurally unsafe; constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation; is not kept in good repair; is abandoned; or is capable of causing electrical shocks to persons likely to come into contact with the sign.
- g. Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.
- h. Garage sale signs, other than those issued by the city.
- i. Portable Message Center Signs, including vehicle signs or those attached to trailer chassis.

#### **F. Non-conforming Signs**

Any sign constructed before the effective date of this UDC, which does not comply with the provisions of this article, may continue in existence if it is properly maintained in good condition. These provisions shall not prevent the repair or restoration to a safe condition of any sign, but a nonconforming sign shall not be:

- a. Changed to another nonconforming sign except where only the face or copy is changed;
- b. Structurally alters so as to increase the degree of non-conformity of the sign;
- c. Expanded or enlarged;
- d. Reestablished after its removal; or
- e. Moved to a new location, unless the location would bring the sign into conformance with the provisions of this article.

#### **G. Permit Procedures**

- a. Except where not required it shall be unlawful to display, erect, relocate, or alter any sign without first filing with the Development Services Director or designee and application in writing and obtaining a sign permit.
- b. When a sign permit has been issued by the Development Services Director or designee, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of said permit without prior approval of the Development Services Director or designee. A written record of such approval shall be documented upon the original permit application and maintained in the files of the Development Services Department.
- c. The application for a sign permit shall be made by the owner or a sign contractor licensed by the city. Such applications shall be made in writing on forms furnished by the Development Services Department and shall be signed by the applicant.
- d. The application for a sign permit shall be accompanied by the following plans and other information:

- i. The name, address and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or erector.
- ii. The location by street address and legal description of the site of the proposed sign structure.
- iii. Plans indicating the scope and structural detail of the work to be done including details of all connections, guy lines, supports and footings and material to be used.
- iv. A site plan drawn to scale showing the location of the building structure and lot to which the sign is to be attached or erected.
- v. The position of the sign in relation to nearby buildings or structures.
- vi. Two sets of plans and a digital copy submitted in PDF format.
- vii. Specifications and method of construction.
- viii. Method of attachment to the building or ground when required by the Development Services Director or his designee.
- ix. Copy of documents which provide information to ensure compliance with the International Building Code.
- x. Application for an electrical permit and required information shall be a licensed electrician making the electrical connection.
- xi. Such other information as required by the Development Services Director or designee to show full compliance with all ordinances.

- e. A permit fee shall be paid to the city for each sign permit issued under this article. All such permit fees shall be set by the City Council of the City of Yukon by resolution.
- f. Signs erected or remodeled shall bear a clearly legible identification plat that is accessible from ground level, not exceeding 15 square inches in area, stating the name of the person or company responsible for the construction, with installation date and permit number. Such information shall be kept current. Electrical signs shall be marked with input amperes at full load input.
- g. All signs for which a permit is required shall be subject to inspection by the development services director or designee, including footing inspections.
- h. All signs containing electrical wiring shall be subject to the provisions of the governing Electrical Code and the electrical components used shall bear the label of an approved testing agency.
- i. If the Development Services Director or designee finds that work under any permit issued is not in accordance with the information supplied in the permit application and/or is in violation of this chapter or any other pertinent ordinance, or should they find that there has been any misrepresentation in connection with the application for the permit, they shall notify the owner or sign contractor of such findings and that the violation must be corrected without delay. If such correction is not made, the Development Services Director or designee shall revoke the permit and serve written notice thereof upon the owner or sign contractor. No person shall proceed with any part of such work after such notice is received.
- j. If substantial actual work either on or off site is not commenced under any permit issued within 60 days from the date of such permit, and/or if substantial building operations under any permit issued under this article are suspended for a period of 60 consecutive days, the permit shall be deemed revoked.
- k. Delays which are not a result of willful acts or neglect of the contractor, owner or person obtaining the permit the Development Services Director or designee may grant an

extension of time in which to start or resume operations. All requests for extension and approval thereof shall be in writing.

- I. When any permit has been revoked under the terms of this subsection, permit fees shall not be refunded.

#### **H. Permits Not Required**

All applicable provisions of this chapter shall apply, except that setback requirements shall not apply nor shall a sign permit or a sign permit fee be required for the following signs in all districts.

- a. Painting, repainting, cleaning, or other normal maintenance and repair of a sign, not involving structural changes or changes in the electrical components of the sign; as long as sign area, sign height, or sign dimensions are not changed.
- b. Signs inside a building, or enclosed structure, not meant to be viewed from the outside, and are located greater than three (3) feet from the window.
- c. Holiday and seasonal decorations.
- d. Personal expression signs of any type, provided that they do not exceed three (3) square feet in area per side, are non-commercial, and not internally illuminated.
- e. Up to two (2) signs stating address, number and/or name of occupants of the premises and do not include any commercial advertising or other identification.
  - i. Residential districts: Signs not to exceed three (3) square feet in area.
  - ii. Non-residential districts: Signs not to exceed five (5) square feet in area.
- f. Public signs erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification or directional signs for public facilities.
- g. Signs or emblems of a religious, civil, philanthropic, historical or education organization that do not exceed four (4) square feet in area.
- h. Private drive signs, one (1) sign per driveway entrance, not to exceed two (2) square feet in area.
- i. Security and warning signs
  - i. Residential districts: Not to exceed three (3) square feet in area.
  - ii. Non-residential districts: Not to exceed five (5) square feet in area.
- j. Flags
  - i. Residential districts: No more than two (2) flags per lot. Maximum flag size is twenty-four (24) square feet.
  - ii. Non-residential districts: No more than three (3) flags per lot. Maximum flag size is thirty-five (35) square feet.
  - iii. If the flag contains commercial messaging they shall be permitted as freestanding signs according to the zoning district allowance, and shall be included in and limited by, the computation of allowable area for signs.
- k. Legal notices.
- l. Vending machine signs.
- m. Memorial, public monument, plaque, or historical identification signs, not to exceed three (3) square feet in area.
- n. Directional signs which do not exceed four (4) square feet in area, or five (5) square feet in height, and are non-illuminated.
- o. Art and murals.
- p. Temporary signs

- i. Must be labeled with date of erection. As defined in Article 2, temporary signs are those that in use for no more than 60 days.
- ii. Residential districts: No more than 1 per frontage, measuring twelve (12) square feet in total area and six (6) feet in height.
- iii. Non-residential districts: No more than 1 per 200 feet of frontage, measuring thirty-two (32) square feet in area and eight (8) feet in height.

#### I. Maintenance and Removal

- a. Every sign shall be always maintained in good condition.
- b. Any sign constructed, erected, relocated, placed or altered on or after the effective date of this article, including those for which a permit is not required, which is not in accordance with the requirements listed in this section, shall be considered in violation of this UDC.
- c. The Development Services Director or designee may order removal of any sign that is not maintained in accordance with the provisions of this Section.
- d. If the Development Services Director or his designee shall find that any sign is erected or maintained in violation of this Section, he shall give written notice which may be served personally to the owner or his agent, sign contractor or person having the beneficial use of the building or structure upon which such sign is located. If such person fails to alter or remove the sign to comply with this Section within 48 hours after receipt of such notice, the city manager is authorized to cause removal or obliteration of such sign. The city may institute any property action in a court of competent jurisdiction to prevent, enjoin, restrain, abate or otherwise to correct any violation of this chapter. The city manager or his designee may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed summarily without notice.
- e. Any sign which is unlawfully placed in the right-of-way, or signs which are pasted, nailed, painted on, or otherwise unlawfully displayed upon structures, utility poles, trees, fences or other signs, may be removed summarily by the city manager or his designee without notice, including garage sale signs.

#### Section 509. Design Standards

##### A. Duplex, Triplex, Four-plex and Multifamily Design Requirements

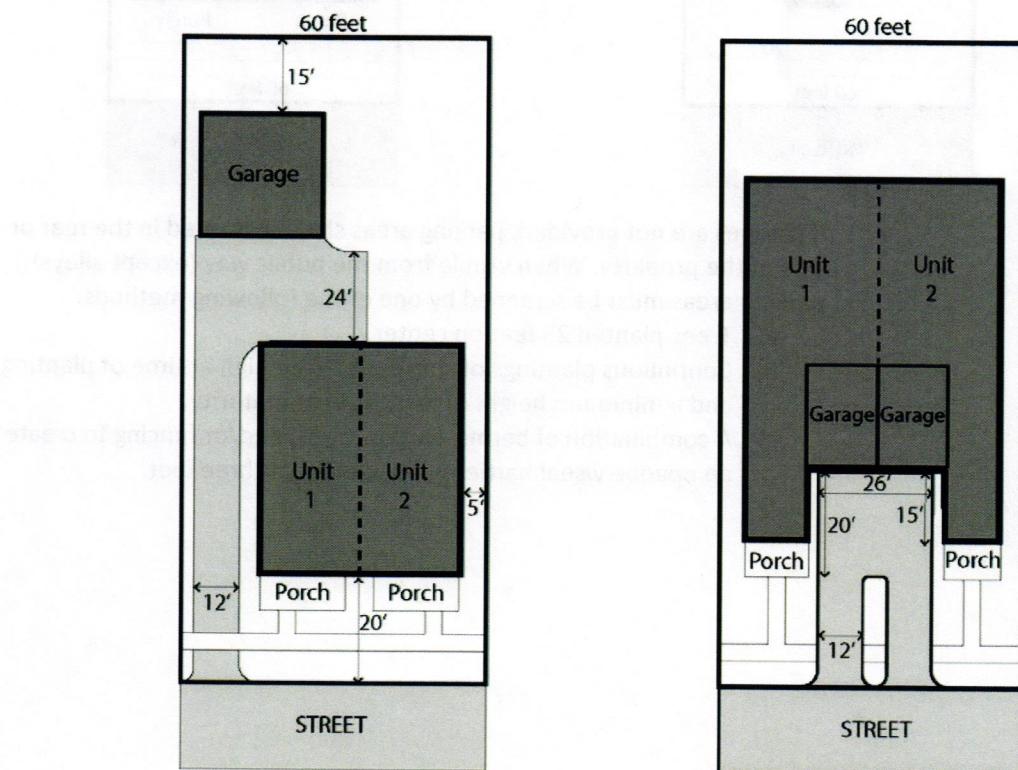
The following design standards shall apply to dwelling categories of duplexes, triplexes, fourplexes and multifamily.

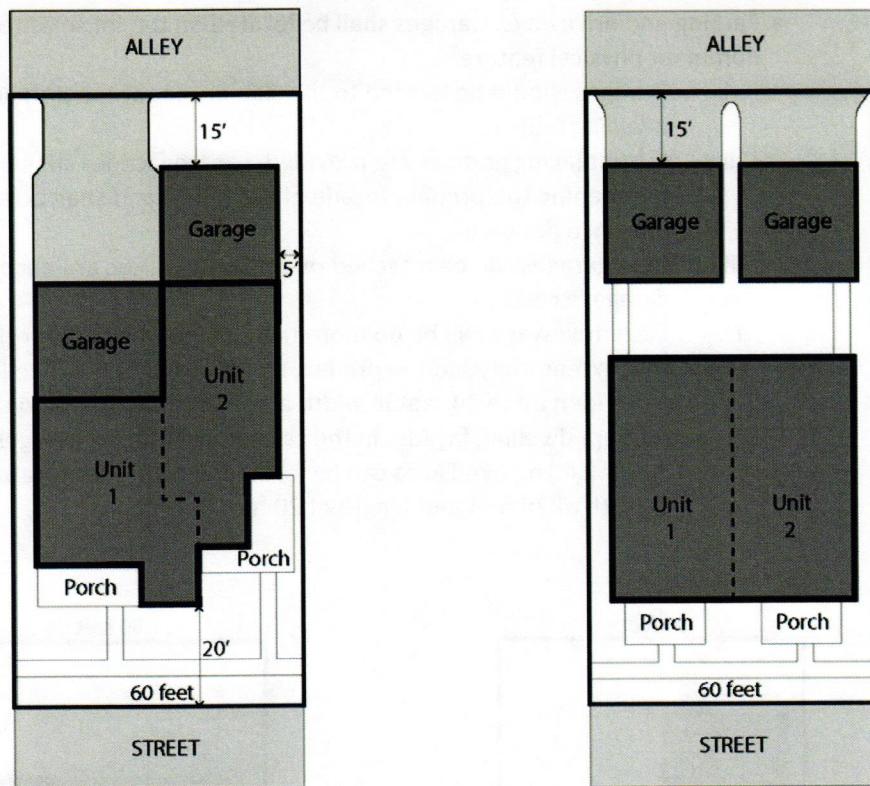
1. Building materials: Exterior building materials shall consist of long-lasting, high-quality materials, such as brick, stucco, wood, cementitious board or siding, native stone, glass, metal, or other masonry units.
  - a. Limited materials: Aluminum, steel or other architectural metal may be used as decorative or detail elements for up to 25% of the façade's finish material. Exterior insulation and finish system (EIFS) and other insulated wall cladding materials may be used as decorative or detail elements for up to 25% of the façade's finish, above the ground floor.
  - b. Prohibited materials: The following materials are prohibited as exterior finish materials: plain or painted concrete block, tilt-up concrete panels, prefabricated steel panels, or corrugated metal siding.

2. Two to four family (duplex, triplex and four-plex):

a. Parking and driveways: Garages shall be located on the lot so as to not be the dominant physical feature.

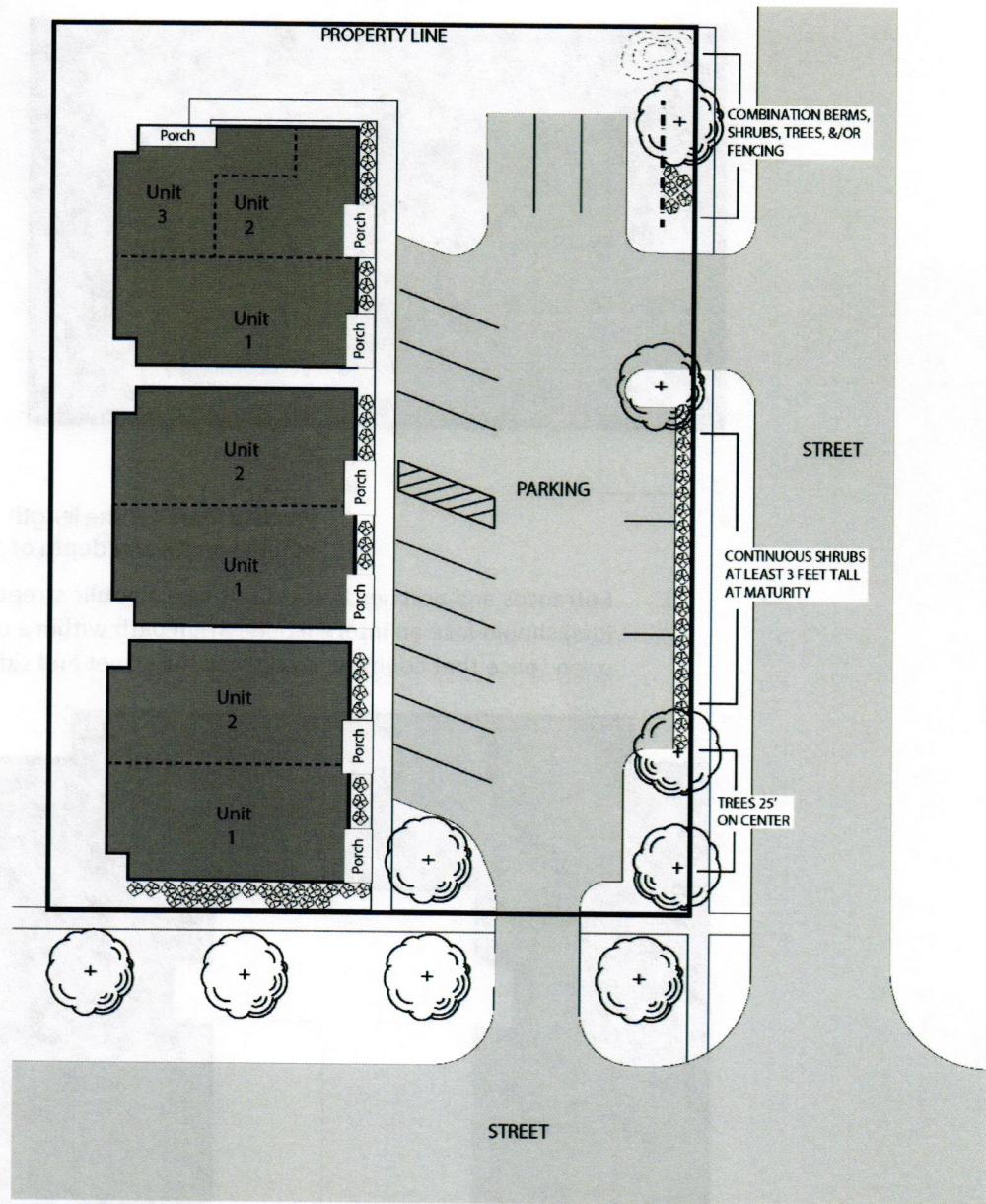
- Garages should be located to the side or rear of the primary façade of the dwelling unit.
- If front facing garages are provided, garage façades shall be at least 15 feet behind the primary façade of the house and shall be a single garage entrance per unit.
- Rear garages can be attached or detached. Alleys are encouraged for garage access.
- Each driveway shall be no more than 12 feet in width for the entire length that extends beyond the primary front façade of the dwelling. Driveways can widen up to 24 feet in width at a point that is behind the line of the primary dwelling façade. In the case of front facing garages (Section 305.B.2.ii.) a paved area can be located in front of the garage entrance at a width of 26 feet and length of 20 feet.





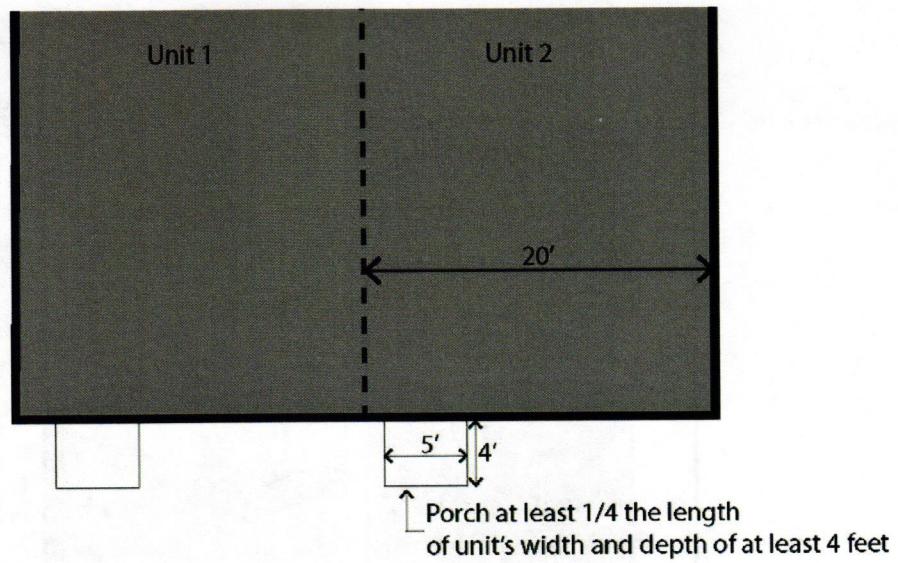
v. If garages are not provided, parking areas shall be located in the rear or side of the property. When visible from the public way (except alleys) parking areas must be screened by one of the following methods:

- Trees planted 25 feet on center.
- Continuous plantings of shrubs at 2 foot high at time of planting, and a minimum height of three feet at maturity.
- A combination of berms, shrubs, trees, and/or fencing to create an opaque visual barrier with a height of three feet.

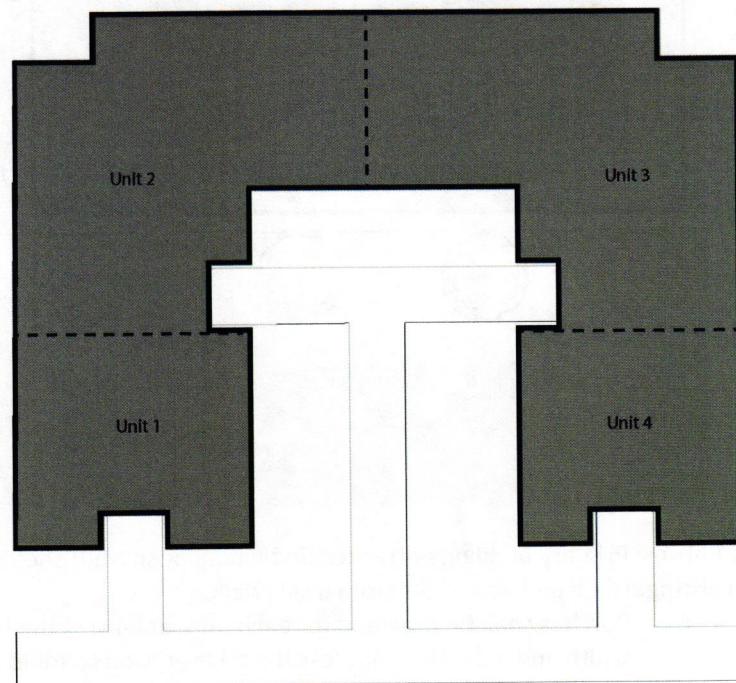


b. Entries: Primary building entrances (individual or shared) should be visibly distinguished and accessible from a sidewalk.

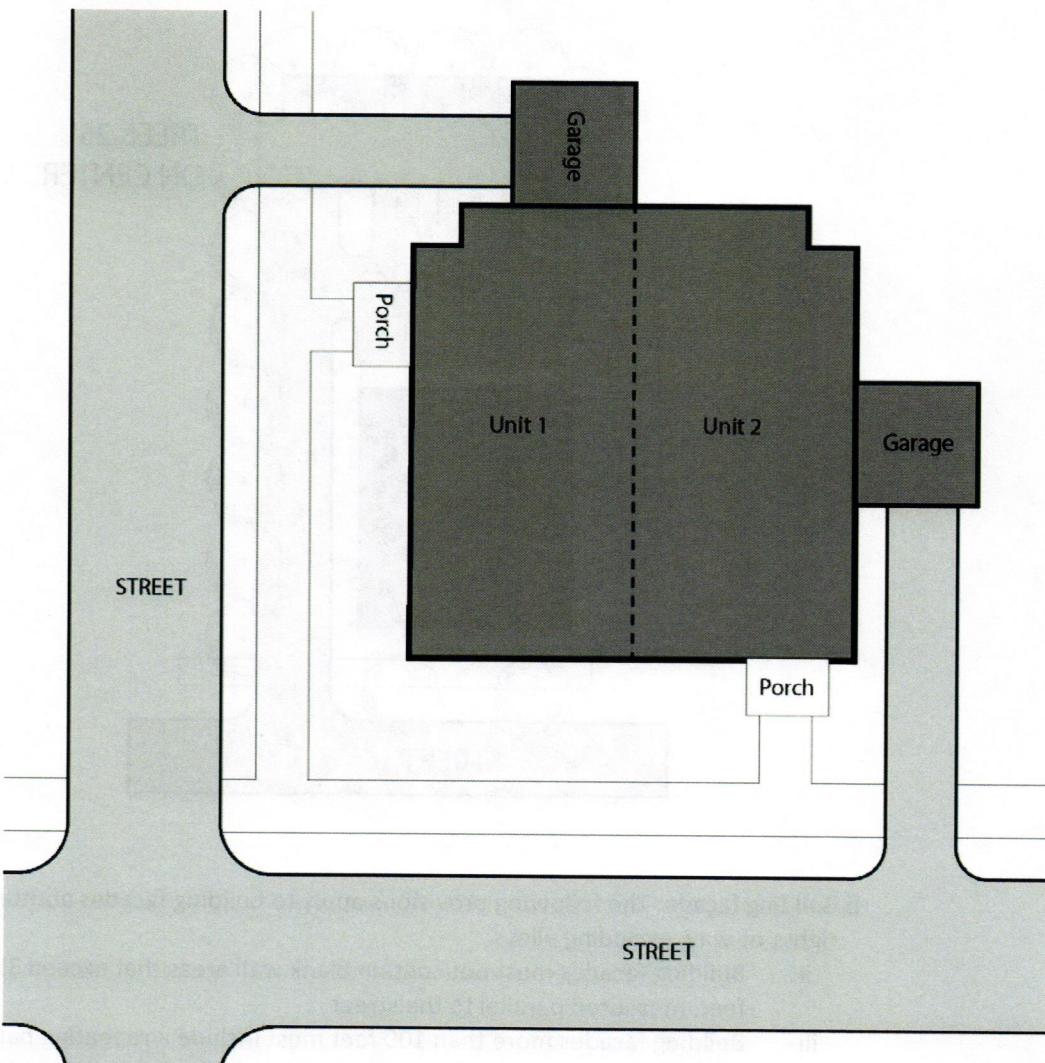
- Porches shall be provided for each unit, at least  $\frac{1}{4}$  the length of the unit's width and a depth of not less than 4 feet. Units should be oriented so that porch or stoops face the street.



- ii. Entrances and porches that cannot face a public street (i.e. deep or large lots) should face an internal pedestrian path within a courtyard or shared open space that connects directly to the street and sidewalk.

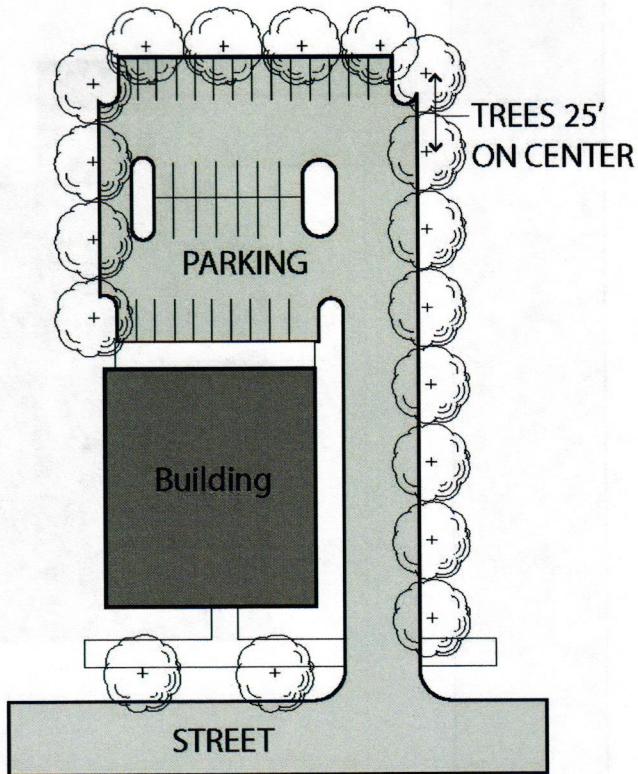


- c. Corner lots: Dwellings located on corner lots shall be designed with entries located on opposite street frontages. Where no alley is available for vehicular access, separate driveways should be placed on opposite streets.



3. Multifamily: Dwellings with more than four units shall be constructed in accordance with the following standards:

- Parking lots: Parking lots shall be located to the side and/or behind buildings and shall not be located in the front yard area.
  - Parking areas must be screened by one of the following methods:
    - Trees planted 25 feet on center.
    - Continuous plantings of shrubs at 2 foot high at time of planting, and a minimum height of three feet at maturity.
    - A combination of berms, shrubs, trees, and/or fencing to create an opaque visual barrier with a height of three feet.



b. Building façade: The following provisions apply to building facades abutting public rights-of-way, excluding alleys.

- ii. Building facades must not contain blank wall areas that exceed 35 linear feet, measured parallel to the street.
- iii. Building facades more than 100 feet must include a repeating pattern with no less than two of the following elements, or something similar: color change, texture change, material change, wall articulation changes of no less than two feet in depth. These can be accomplished through varying roof lines, offsets, balconies, projections such as overhangs or porches, and window reveals as some examples.
- iv. Buildings must have differentiation among individual unit front entry designs by variation in porch roof designs, columns, entry courts (courtyard walls, gates, paving and landscaping), as some examples.

c. Open space: Developments with more than 20 units shall include open space of at least 15 percent of the gross site area, including at least 144 square feet of active recreation space. This can be achieved through landscaped areas, play areas, and common open space. Paved parking areas shall not count towards open space.

d. Siting:

- i. Units adjacent to public or private streets shall have the primary building entrances located on the façade facing the street.
- ii. The site shall be designed so that there is safe pedestrian access to the buildings or complex from the public right-of-way and safe pedestrian circulation within the development.

**B. Commercial Design Requirements**

The following requirements apply in commercial districts within the city limits of Yukon. The Development Services Director, or designee shall have authority to review commercial projects for compliance with this section.

1. **Concrete and metal walls:** In all applicable commercial zoning districts of this section, exposed exterior metal walls or untreated concrete block, including painted concrete block and unfinished or untreated concrete panels shall not be permitted unless the adjacent buildings on two sides have been previously constructed with exposed metal walls, untreated concrete block, including painted concrete block or unfinished concrete panels or are in subdivisions wherein at least five structures have been erected using the exposed metal wall construction or untreated concrete block, including painted concrete block or unfinished, untreated concrete panels.
2. **Metal buildings:** When allowed, as in B.1. above, exposed exterior metal walls shall be no more than 25% of the front façade, or any façade visible from a public way, including platted alleys.
3. **Roofs:** In all applicable commercial zoning districts, where any portion of any roof is visible to an observer standing on ground level at any place along the property lines of the subject property, then in that event, no roofs of metal construction shall be permitted unless the same is of standing seam construction or a functional and architectural equivalent thereof. Any new construction incorporating flat roof shall make use of a mansard or other architectural treatment on all sides of the new building to achieve compatibility with the surrounding area.
4. **Siting:** The site shall be designed so that there is safe pedestrian access to the building or center from the public right-of-way and safe pedestrian circulation within the development.
5. **Utility Meters:** Whenever possible, utility meters shall be installed in the rear or side yards of the building site in order to minimize the visibility from the adjoining streets.

## Section 510. Sidewalks

### A. Purpose and Intent

It is the purpose and intent of this section to prioritize pedestrian safety through the construction of sidewalks and implementation of the City of Yukon's ADA Transition Plan.

### B. Sidewalks along all streets other than Local

That from and after the time of the adoption of this UDC all Arterial and Collector streets as defined in the Comprehensive Plan and this UDC shall have sidewalks on both sides of said street five (5) feet in width. Arterial streets shall also have a greenbelt or planting strip of a minimum of 5 feet between the sidewalk and the roadway. If there is insufficient room to provide the planting strip a 6-foot sidewalk at the curb must be constructed.



### C. Sidewalks along Local streets

That from and after the time of the adoption of this UDC, all streets within a new subdivision in the corporate limits of the City of Yukon, Oklahoma, dedicated to the public use, not falling in the above category, to be known as Local streets, shall have sidewalks on both sides of said minor street four (4) feet in width.

### D. Sidewalk Construction

Sidewalks shall have a width as required above of four (4) inches thick of 3,000-pound test concrete over a four (4) inch ODOT Class 'A' type aggregate rock base on a properly prepared subgrade to be approved by the Development Services Director or designee. When a sidewalk crosses a drive, the sidewalk concrete shall be six (6) inches thick.

### E. Sidewalk specifications

New sidewalks after the adoption of this UDC shall meet Americans with Disabilities Act Standards for specifications, percent grade, and slope.

**F. Plans to be submitted**

That sidewalk plans shall be submitted at the same time the street paving plans are submitted by the developer of the subdivision, or that a building permit is filed in the case of a non-residential subdivision.

**G. Deposit to be made**

The Development Services Director or designee shall withhold his final inspection until said sidewalk is constructed to City standards; or a cash deposit equal to one hundred fifty (150) percent of the amount of the estimated cost of the construction of the sidewalks is submitted to the City of Yukon.

## Article 6. Infrastructure and Public Improvements

### Section 601. General Provisions

These regulations are designed to promote the health, safety, and general welfare of the community by establishing standards for infrastructure and public improvements within the City of Yukon.

### Section 602. Streets and Alleys

#### A. Street names

1. No street name shall be used which will duplicate or be confused with the names of existing streets.
2. Street names shall be subject to the approval of the Planning Commission and City Council.

#### B. Alleys

1. Alleys shall be provided in all Commercial Districts except where a Commercial District will be developed as a self-contained unit; then other provisions shall be made on the site for service drives and service areas.
2. Alleys in residential areas platted after the adoption of this UDC shall not be less than twenty (20) feet in width when provided and used for fire protection.
3. Alleys in commercial areas platted after the adoption of this UDC shall not be less than thirty (30) feet in width and shall be paved.
4. Dead-end alleys are prohibited except where natural or other features make it impossible to continue them. Where dead-end alleys are unavoidable, they shall be provided with adequate turnaround areas with a minimum radius of forty (40) feet at the dead end. Backaround areas may be allowed in residential subdivisions.
5. City Engineer shall have discretion to permit a lesser standard for width in cases of already platted and developed areas, topographic or other constraints.

### Section 603. Utilities

#### A. Easements

1. Where alleys are not provided or may not be used for utility purposes, easements shall be provided as may be advisable for poles, wires, conduits, storm sewers, sanitary sewers, gas lines, water mains and lines, and other similar purposes.
2. Rear yard easements shall be at least fifteen (15) feet wide. In the event one-half of the easement is platted, it shall be not less than fifteen (15) feet in width.
3. Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a public or private drainage easement conforming substantially with the lines of such natural watercourse and such further width of construction or both as will be adequate for the purpose of containing the 100-year event. Parallel streets or parkways may be required in connection therewith.
4. Twenty (20) foot utility easements shall be provided at the end of cul-de-sac along major thoroughfares.

**Section 604. Improvements****A. Monuments**

1. Each block corner shall be marked with iron pipes, pins or equivalent not less than three-eighths ( $\frac{3}{8}$ ) inch in diameter and eighteen (18) inches long and placed at least one (1) inch below finished grade.
2. Monuments marking property lines and corners shall not be disturbed; or if such disturbance is necessary, the monuments shall be replaced at the exact spot from which they were removed.

**B. Required Improvements**

The developer must install the required improvements, on and offsite. Any final plat or subdivision located within the corporate limits shall not be approved unless the subdivider or developer has provided the following improvements:

**1. Streets**

The subdivider of any residential, commercial, industrial, or other subdivision shall lay out, grade, and otherwise improve all streets that are designated on the approved plat or that directly serve the subdivision in accordance with specifications of the City. All applicable state and federal permits are required prior to construction.

**2. Water Lines**

Water mains properly connected with public water supply system provided to ensure adequate water flow for fire protection in accordance with Oklahoma Department of Environmental Quality standards, and standard City of Yukon specifications governing water improvements construction.

1. Major Arterial roads as classified by the Comprehensive Plan shall have 12-inch water lines, Minor Arterial roads shall have 8-inch water lines, or as required.
2. If a public water system is not reasonably accessible and not within  $\frac{1}{4}$  mile as determined by the city engineer, the subdivider may install an individual water well system, upon the recommendation of the City Engineer in accordance with the requirements of Oklahoma Water Resources Board.

**3. Sanitary Sewers**

A sanitary sewer system properly connected with the existing system, in accordance with Oklahoma Department of Environmental Quality standards, and standard City of Yukon specifications governing sanitary sewer construction and in accord with requirements of state and county health departments.

1. Sanitary sewers shall be designed and sized to serve the drainage basin.
2. If a public sanitary sewer system is not reasonably accessible and not within  $\frac{1}{4}$  of a mile as determined by the City Engineer, the subdivider may install a private sewage disposal system. Such private sewage disposal system shall be installed in accordance with the recommendations and requirements of the Oklahoma Department of

Environmental Quality and subject to minimum lot size requirements within the City of Yukon.

**4. Maintenance**

At the time of the acceptance of subdivision improvements, the developer or contractor shall be required to post a maintenance bond for ten percent of the construction cost of the required improvements. This bond shall be for the assurance of the serviceability of facilities installed and shall be given as an irrevocable guarantee. The term of maintenance bonds shall be two years for water and sewer improvements and two years for street and drainage improvements. These maintenance bonds shall be irrevocable.

**5. In Lieu of Improvements**

In lieu of completion of the improvements herein required, the City Council may require the subdivider to file the following instruments:

1. An executed surety bond; and
2. An executed agreement guaranteeing installation of improvements; OR
3. A letter of credit.
  - a. These instruments shall be conveyed to the Development Services Director, and they shall deposit them with the City Clerk.
  - b. The amount of the bond shall be 100 percent surety, and sufficient to cover 1.5 times the entire cost, as estimated by the subdivider and approved by the City Engineer, of the installation of all specified improvements. The term of the bond shall be until the completion of the installation of the improvements according to the plans and specifications as approved by City Council, but not to exceed two years.
4. Instead of a surety bond as outlined above, the subdivider may secure and place on deposit with the City Clerk an irrevocable letter of credit written by a bank certified to do business in the state of Oklahoma. The letter of credit shall be drawn in favor of the City of Yukon, shall be irrevocable for the surety term of two years, and shall be for 1.5 times the entire cost of improvements, as estimated by the subdivider and approved by the City Engineer.

**C. Public Sites and Open Spaces**

1. Where a site for a proposed park, playground, playfield, school, library, fire station, or other public use is proposed by the Comprehensive Plan or is deemed to be necessary by the agency involved and is located in whole or in part in a subdivision, the City Council upon the recommendation of the Planning Commission may require the reservation of such area within the subdivision.
2. Residential subdivisions of density greater than one unit per 0.75 acres shall provide a private park or open space equal to 10% of the total development area, to be privately maintained by the future residents of the subdivision, with the following provisions:
  - a. That the private ownership and maintenance of the open space is adequately provided for by written agreement.

- b. That the use of the private park and/or open space is restricted for park and recreational purposes by recorded covenants which run with the land in favor of the future owners of property within the tract and which cannot be defeated or eliminated without the consent of the City Council.
- c. The proposed private park and/or open space is reasonably adaptable for use for park and recreational purposes, taking into considerations such factors as size, shape, topography, geology, access and location of the private open space.
- d. Drainage areas, naturally wooded areas, streams and creeks may count towards the required 10 percent open space.

#### D. Blocks

Blocks shall have the following dimensions:

	Minimum	Maximum
Length	300 feet	1,000feet*
Width	220 feet	400 feet

\*Maximum block length may be increased to 1,400 if pedestrian connection is provided at or near the midblock of a width of not less than 15 feet.

#### E. Lots

1. The lot size, width, depth, shape orientation, and minimum building setback lines shall be appropriate for the location of the subdivision and the type of development and use contemplated.
2. Lot dimensions shall conform to the existing zoning regulations.
3. Each lot shall have access and front upon a public street.
4. Double frontage and reverse frontage lots should be avoided except where their use will produce definite advantages in meeting special situations in relation to topography and proper land use.
5. Side lot lines shall be substantially at right angles or radial to street lines.
6. Twenty-five (25) foot sight triangles shall be maintained on corner lots along collector or greater street classifications

#### F. Marginal Land

Land of poor quality for building or that which is susceptible to erosion, flooding, or other physical or environmental issues shall be noted as such on the plat for the purpose of protecting the health, safety, and general welfare of the public.

1. Flooding: land that is subject to flooding or has been flooded within the last 20 years and corrective measures have not been taken to prevent reflooding should be platted within a common area to be maintained by the home or property owners' association, or property owner if no association exists.
2. Unsuitable for building

- a. Plugged or abandoned wells: If a plugged or inactive well is identified, a 45-foot 'no build' radius shall be shown on the plat. No residential structures shall be built within 45 feet of the plugged or abandoned well.
- b. Poor soils: If soils are with identified contamination or soil profile characteristics unable to support structures shall be delineated and identified on the plat.

**Article 7. Administration****Section 701. Review Bodies**

The following have specific purview and authorities over the provisions of this UDC, and according to state law:

1. Planning Commission
2. City Council
3. Board of Adjustment
4. Development Services Director, or designee/staff

**Section 702. Review Authority****A. Planning Commission**

1. General: In conducting its work, the Planning Commission may consider and investigate any subject matter tending to the development and betterment of the city and may make such recommendations as it may deem advisable to the City Council. The Planning Commission may make or cause to be made surveys, studies, maps and plans in the conduct of its activities.
2. Public Improvements: Before final action is taken by the City Council on the location or design of any public building, statue, memorial, park, boulevard, street, alley, playground, public grounds or bridge, or change in any location of any street or alley, such question shall be submitted to the Planning Commission for investigation and recommendation.
3. Subdivisions: The Planning Commission may prepare and recommend to the City Council for adoption rules and regulations governing the subdivision of land within the corporate limits of the city. All plans, plats or replats of land laid out in two or more lots, plats or parcels, or streets, alleys or other ways intended to be dedicated to public use within the corporate limits of the city shall first be submitted to the Planning Commission for its recommendations. The Planning Commission shall, with the help of appropriate municipal officials, check the proposed dedications or subdivision of land to ensure compliance with the rules and regulations governing the subdivision of land and with other elements of the Comprehensive Plan for the city.
4. Zoning:
  - a. *Zoning Commission*: The Planning Commission shall also act as and have the powers and duties of a Zoning Commission. It shall have the power to prepare and to recommend to the City Council for adoption a zoning plan to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land for trade, industry, residences and other purposes. The Planning Commission shall also have all other powers conferred upon Zoning Commissions by state law.
  - b. *Zoning Districts*: The Planning Commission may recommend the division of the city into districts of such number, size and area as may be deemed best suited to carry out the zoning plan. All such regulations shall be uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts.

c. *Zoning regulations:* Regulations shall be made in accordance with a Comprehensive Plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate adequate provisions of transportation, water, sewerage, schools, parks and other public requirements. Such regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

5. **Comprehensive Plan**

- a. *Power and Duty:* The Planning Commission shall have the power and the duty to prepare and recommend to the City Council for adoption a Comprehensive Plan for the physical development of the city. In the preparation of such plan, the Planning Commission shall make careful and comprehensive surveys and studies of present conditions and future growth of the city with due regard to its relation to neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the city and its environs which will, in accordance with present and future needs, best promote health, safety, order; convenience, prosperity and general welfare as well as efficiency and economy in the process of development, including, among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of healthful and convenient distribution of population, the promotion of good civic design and arrangement, and wise and efficient expenditure of public funds.
- b. *Preparation:* In the preparation of the Comprehensive Plan, the Planning Commission may, from time to time, prepare and recommend to the City Council for adoption a part or parts thereof, which parts shall cover one or more major geographical divisions of the city or one or more major elements of the Comprehensive Plan.
- c. *Amending:* The Planning Commission may, from time to time, recommend extending, amending, or changing any portion of the Comprehensive Plan.

**B. City Council**

In addition to powers set forth in other sections of the City Code, the City Council shall have the following powers relative to buildings, subdivision of land, and zoning.

1. *Subdivisions:* The City Council shall hear and make final decisions on subdivisions and platting of land.
2. *Zoning:* The City Council shall hear and make final decisions on zoning text and map amendments, Special Permit uses, and Planned Unit Developments (PUD) and Simplified Planned Unit Developments.
3. *Comprehensive plan:* The City Council shall have the power to adopt a Comprehensive Plan for the physical development of the city.

**C. Board of Adjustment**

1. Administrative review: To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Administrator, Building Inspector, or other administrative officer in the enforcement of this Ordinance.
2. Variance: To authorize upon appeal in specific cases such variances from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will, in any individual case, result in unnecessary hardship, so that the spirit of this Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variances may be granted in such individual case of unnecessary hardship upon a finding by the Board of Adjustment that:
  - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
  - b. The application of this Ordinance to this particular piece of property would create an unnecessary hardship, not self-imposed by the owner or developer.
  - c. Such conditions are peculiar only to the particular piece of property involved.
  - d. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Zoning Ordinance or the Comprehensive Plan; provided, however, that no variance may be granted for a use of land/or building or structure that is prohibited by this Ordinance.
3. In exercising its powers, the Board of Adjustment shall have the concurring vote of at least three (3) of its members in order that it may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination, and to that end shall have all the powers of the administrative officer for directing the issuance of a permit.

**D. Development Services Director or designee/staff**

1. Administrative review: The Development Services Director or designee/staff has the following powers pursuant to this UDC:
  - a. To review and make decisions on temporary use permit applications.
  - b. To review and make decisions on sign permit applications.
  - c. To review and make determination if a proposed Conditional use meets the conditions outlined in Article 3. Section 308.D.
  - d. To review and make determination if a proposed Dumpster Screening approach meets the intent and standards outlined in Article 3. Section 306.D.
  - e. To review and make determination if a proposed landscape plans is in conformance with the standards set forth in Article 5. Section 505.
  - f. To review and make decisions on site plans.
  - g. To review and make decision in the case of non-conforming parking lots and required landscaping as outlined in Article 8. Section 804.
  - h. To review and make decisions on minor modifications provided they are within the scope and intent of the original approval. The following items shall be considered by the Development Services Director or designee/staff in approving minor modifications:
    - i. Compliance with all applicable requirements of this UDC; and
    - ii. That the modification will not have substantial or undue adverse effect upon adjacent properties, the neighborhood, traffic conditions, parking public

infrastructure and other matters affecting the public health, safety and general welfare.

2. **Referral to Other Review Bodies:** The Development Service Director or designee/staff may refer any of the above administratively reviewable items, or any application that in the Director's discretion presents issues that require Planning Commission or City Council attention to those Review Bodies.

### **Section 703. Application Procedures**

#### **A. Application for Zoning amendment**

An owner or his duly authorized agent or representative may make application for the amendment of the zoning restrictions applicable to his property by filing with the Planning Commission a written application in such form and content as the City Council may by resolution establish. An application for amendment shall be accompanied by the payment of a fee as set by the City Council of the City of Yukon by resolution.

1. **Planned Unit Development and Simplified Planned Unit Development Requirements**
  - a. **Design Statement:** shall be a written narrative containing, at a minimum, the following:
    - i. Project Description: Including the title of the PUD; list of owners and/or developers with contact information, including email addresses; general location of the PUD and relationship to surroundings; project description/concept; and conformance to comprehensive plan.
    - ii. Development Standards: Including the base zoning district; allowed uses; design regulations; tract specifics; utilities information and street and access regulations (including driveway separation, number of access points, street design).
    - iii. Special Conditions: Including regulations for façade, landscaping, lighting, parking, sidewalk, signage, trash collection, open space, screening, and any other specific conditions.
    - iv. Development Sequencing: Including a description of project scheduling/phasing and platting requirements.
  - b. **Exhibits:** representations of the planned development containing, at a minimum, the following:
    - i. Legal description, including tracts, if applicable.
    - ii. Topography Map: prepared with a white background, at a scale of 1 inch = 100 feet.
    - iii. Site Plan: prepared with a white background, at a scale of 1 inch = 100 feet and showing limits of the base zoning district(s), general location of proposed land uses, acreage, building lines, location/vicinity map, residential densities, location of streets within the PUD and adjacent streets with right-of-way, location and approximate size of open space, greenbelts, and recreational areas, and location of driveways, where applicable.
    - iv. Proposed Building Elevations: prepared with a white background at an appropriate architectural scale that depicts delineation of finish

materials and shows the height, length, width and appearance of all proposed structures.

c. Traffic Study: A Traffic Impact Analysis (TIA) shall be submitted with the filing of the PUD or SPUD application for the following:

- i. The average daily trip (ADT) generated exceeds 1,000 ADT
- ii. Residential developments that net 100 or more new dwelling units.
- iii. The PM peak hour trip generation would exceed 250 per PM peak hour.
- iv. Or at the discretion of the Director (or appointee), or City Council.
- v. Report requirements are as follows:
  - a. The report shall be prepared by a licensed Professional Traffic Operations Engineer (PTOE) in the state of Oklahoma.
  - b. Trip generation estimates must be obtained from the latest version of the ITE Trip Generation Manual.
- vi. Conditions of Approval: The City Council may condition the approval of a proposed PUD or SPUD to sustain the level of service standards of streets impacted. The City Council may deem that phased development, requiring street, intersection, access, signalization, or other transportation improvements deemed necessary be required.

#### **B. Application for Plat**

An owner or his duly authorized agent or representative may make application for subdividing and platting of their property by filing with the Planning Commission a written application in such form and content as the City Council may by resolution establish. An application for platting shall be accompanied by the payment of a fee as set by the City Council of the City of Yukon by resolution.

#### **C. Application for Special Permit Uses**

1. Applications for Special Permit Uses shall be filed in accordance with the requirements of this UDC and on forms provided by the City.

#### **D. Pre-Application Meeting**

1. Whenever any subdivision of a tract of land is proposed to be made, or rezoning, the owner or their agent shall submit to the staff, sketch plans and data concerning existing conditions within the site and in its vicinity, and which shall convey the intentions of the subdivider as to the proposed layout and type of development.
2. No fees shall be collected for preapplication consideration, the purpose being to acquaint the owner with the plans and policies in effect that would be significant to the proposed development.
3. Within fifteen (15) days, the Planning Commission staff shall inform the subdivider that the plans and data as submitted or as modified do or do not meet the regulations. When the Planning Commission staff finds the plans and data do not meet the regulations, it shall express its reasons, therefore.

#### **E. Withdrawal of Application**

1. A. An applicant may withdraw an application at any time, by filing a statement of withdrawal with the Development Services Director except as provided in paragraph 3 below.
  2. The statement of withdrawal shall be signed by all persons who signed the application or their representative.
  3. If a valid zoning protest petition has been filed, the application may be withdrawn only if the statement of withdrawal is filed no later than five days prior to the date of the public hearing upon which the matter is to be returned for action by the governing bodies. Thereafter, the application may be withdrawn only by action of the governing bodies, by majority vote.
  4. The Development Services Director may withdraw applications due to the failure of the applicant to submit required information within 90 days of the initial request.
  5. The application shall move forward to the agenda of the appropriate review body or, if not moved to the appropriate agenda within six months, may be withdrawn by the Development Services Director.
  6. At the request of the applicant, the Planning Commission, the Board of Adjustment or City Council may defer a case for one month, in addition to any permitted deferrals as provided in this Article.

#### **Section 704. Zoning Amendments**

##### **A. Planning commission recommendation**

The regulations, restrictions, prohibitions and limitations imposed, and the districts created may from time to time be amended, supplemented, changed, modified or repealed by ordinance, but no change shall be made until the Planning Commission, after notice and public hearing, files with the City Council a report and recommendation on the proposed change.

##### **B. Notice and public hearing**

Upon receipt of an application, the Planning Commission shall set a date for public hearing not less than twenty (20) days nor more than sixty (60) days from the date of filing. Fifteen (15) days' notice of the public hearing shall be given by the Planning Commission by publication in a newspaper of general circulation in the City of Yukon. In addition to the notice provided above, notice of public hearing of any zoning change may be given by a sign or signs as may be required, placed on the property affected by such proposed zoning reclassification. Such sign (or signs) and the lettering thereon shall be of sufficient size so as to be clearly visible and legible from the public street or streets toward which it faces. It shall contain information giving the date, time and place of the public hearing and by whom it shall be conducted, the desired zoning classification, the proposed use of the property, and such other information as deemed necessary to provide adequate and timely public notice.

##### **C. Planning Commission action**

1. After notice and public hearing, the Planning Commission shall vote to:
  - i. Recommend to the City Council that the application be approved as submitted, or as amended, or be approved subject to modification; or
  - ii. Recommend to the City Council that the application be denied; or

- iii. In the case of failed original motion and failed inverse motion, Planning Commission may vote to forward to City Council without a recommendation.
2. An application recommended for approval, or approval subject to modification, denial, or without recommendation shall be transmitted to the City Council with the report and recommendation of the Planning Commission within fifteen (15) days from the date of Planning Commission action.

**D. City Council action**

The City Council shall hold a hearing on each application transmitted. The City Council shall approve the application as submitted and recommended by the Planning Commission, or approve the application subject to modification, or deny the application, or return the application to the City Planning Commission for further study.

**E. Protest to amendment**

If a written protest against an amendment, change or repeal of this Ordinance or any part thereof is presented, duly signed and acknowledged more than three (3) days prior to said public hearing by the owners of twenty (20) percent or more of the area of the lots included in such proposed change, or by the owners of fifty (50) percent or more of the area of the lots immediately abutting any side of the territory included in such proposed change, or separated therefrom only by an alley or street less than three hundred (300) feet wide, such amendment shall not become effective except by the favorable vote of three-fifths of all the members of the City Council.

**Section 705. Subdivision Approvals****A. Applicability**

These regulations shall govern the subdivision of land in the corporate limits of the City of Yukon, Oklahoma.

1. These regulations shall apply to the following forms of land subdivision:
  - i. The division of land into two or more tracts, lots, sites or parcels, any part of which, when subdivided, shall contain less than five (5) acres in area; or
  - ii. The division of land, previously subdivided or platted, into tracts, lots, sites or parcels of less than ten (10) acres in area; or
  - iii. The dedication, vacation or reservation of any public or private easement through any tract of land regardless of the area involved, including those for use by public and private utility companies; or
  - iv. The dedication or vacation of any street or alley through any tract of land regardless of the area involved.
2. No plat, replat or subdivision of land within the jurisdiction of the City Planning Commission shall be entitled to record unless it bears the written approval of the Commission. No deed referring to such unapproved plat shall be entitled to record, and if recorded, shall not import notice. No deed describing land by metes and bounds which conveys land within the jurisdiction of the Commission in a tract of five acres or less shall be entitled to record unless it bears the written approval of the Planning Commission, and if recorded, shall not import notice.

**B. Submission Requirements – Preliminary Plat**

The following procedures shall apply to the filing for preliminary approval of any subdivision. The preliminary plat shall conform to the minimum requirements of the Comprehensive Plan for the City of Yukon (which shall have been previously ascertained by the subdivider) and shall also reflect and show all contiguously owned lands of the developer, notwithstanding that all of said land may never be finally platted. The plat shall be drawn to a scale of 100 feet to the inch and shall contain the following information:

1. Date, scale, and north point.
2. The proposed subdivision name and all intended street names.
3. The name of the subdivider, the engineer, and/or surveyor preparing the plat.
4. Legal description showing location of plat.
5. Topographic survey map of the area being subdivided, showing contours at two (2) foot intervals.
6. A key map showing the location of the plat in the section, township, and range in which the plat is located.
7. Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land.
8. Location, widths, and names of all existing platted or dedicated streets, alleys, or other public ways and easements, railroad and utility rights-of-way, parks, watercourses, drainage ditches, permanent buildings, bridges, and other pertinent data as required by the Planning Commission.
9. The water elevations of adjoining lakes or streams at the date of the survey and the approximate high and low water elevations of such lakes or streams. All elevations shall refer to the established U.S. Coast and Geodetic Survey datum.
10. When a subdivision borders a lake or stream, the distance and bearings of a meander line shall be established not less than 20 feet back from the ordinary high watermark of the lake or from the bank of the stream.
11. Layout and width of all new streets and rights-of-way, including alleys, highways, and easements, whether private or public, and for public and private utilities.
12. The proposed street names and system of numbering lots and blocks.
13. The exact length of the exterior boundaries of the land to be subdivided.
14. Approximate dimensions of all lots.
15. Approximate radii of all curves and lengths of all tangents.
16. Approximate location and area of property to be dedicated for public use or to be reserved by deed covenant for use of all property owners in the subdivision, with any conditions of such dedication or reservation.
17. The location, size and type of sanitary and storm sewers, water mains, culverts, and other surface and subsurface structures and pipelines existing within or immediately adjacent to the proposed subdivision; and the location, layout, type and proposed size of the following structures and utilities:
  - i. Water mains and storage facilities;
  - ii. Sanitary sewer mains, submains, and laterals;
  - iii. Storm sewers, culverts and drainage structures;
  - iv. Street improvements.
18. The location of all drainage channels and subsurface drainage structures, and the proposed method of disposing of all runoff from the proposed subdivision, and the

location and size of all drainage easements relating thereto, whether they are located within or outside of the proposed plat.

19. Where deed restrictions are to be recorded on the plat, a brief description of the proposed restrictions should accompany the preliminary plat.
20. A description of the improvements such as grading, paving, tree planting, walks, and installation of utilities which the subdivider proposes to make, and the time when they are proposed to be made, shall accompany the preliminary plat.

#### **C. Submission Requirements – Final Plat**

The final plat shall be a print or series of prints 24 x 36 inches in size on a stable base tracing medium of Mylar, Cronar, and other suitable durable material or linen tracing cloth. When more than one sheet is used in connection with the plat, each additional sheet shall be numbered consecutively and shall contain a notation indicating the total number of sheets. The final plat shall be drawn to a scale of 1" = 100' and shall contain the following information:

1. Name of subdivision and the name of the owner, the subdivider, and the engineer or land surveyor.
2. Date, north point, scale (written and graphic).
3. Boundaries of the subdivided area with accurate distances and bearings noted thereon.
4. Exact location of the subdivision and the description of all monuments found or placed in making the survey.
5. The lines, names, and width or dimensions of all proposed street rights-of-way.
6. The lines, widths, and purposes of all easements.
7. Numbered designation of all lots in the subdivision with their lines and dimensions accurately shown.
8. The names of all adjacent subdivisions.
9. Exact dimensions of all lots.
10. The following, which shall be made and shown on the original reproducible:
  - i. Owner's certificate and dedication, signed;
  - ii. Engineer's certificate of survey, signed, and his seal;
  - iii. Certificate for release of mortgage for any portion dedicated to the public, signed;
  - iv. Reference to any separate instruments, including restrictive covenants, filed in the office of the County Recorder of Deeds which directly affect the land being subdivided;
  - v. Certificate of Planning Commission action;
  - vi. Certificate of Council acceptance of streets, alleys, easements, and public land dedications;
  - vii. Tax receipt showing all taxes payable on all property within the limits of the tract as paid in full for the last five years, or in lieu thereof, a statement that such taxes have been paid, signed by the County Treasurer;
  - viii. A receipt for the payment of all special assessments to which the subdivision is subject. These shall either be paid in full or, in lieu thereof, a letter from the City Clerk shall be submitted stating that a surety bond has been filed with him insuring the payment of all interest and principal payments until the assessment is paid in full.
11. Exact radii of all curves and length of all tangents.
12. Plans and specifications on all required improvements.

13. Any additional data as may be required by the Planning Commission

## Section 706. Vacations

### A. Public Way or Easement

A formal application may be initiated by the Planning Commission or City Council or by property owners owning more than one-half the total frontage of the public way or easement sought to be closed. Said application is filed with the Development Services Department.

### B. Unrecorded Plat

1. The owner of any plat, or any part of any plat, may nullify or void the same by application at any time prior to the recordation of said plat, by a written instrument, a copy of which shall be attached to said plat declaring it to be null or void.
2. The Planning Commission shall approve such written instrument in the same manner as platting or subdivision. The City Council shall also review and approve such written instrument.
3. The applicant shall execute and acknowledge such written instrument and submit it for review and recommendation by the Planning Commission and for approval by the City Council. It shall be the responsibility of the applicant to record such written instrument with the appropriate County Clerk. Upon being duly recorded or filed with the City Clerk, said instrument shall operate to destroy the force and effect of the approval of the plat so nullified, and to divest all public rights in the streets, alleys and public grounds and all dedications or easements laid out or described in said plat.

### C. Recorded Plat

1. At the request of the owner, the City Council shall, at its discretion, nullify and vacate a duly approved and recorded plat, or any part of any plat, in accordance with state statutes. The owner shall apply for nullification and vacation of said plat, by a written instrument, a copy of which shall be attached to said plat declaring it to be null or void.
2. To qualify for nullification and vacation with approval from the City Council, the plat must meet the following requirements:
  - i. None of the lots in said plat have been sold.
  - ii. Where any of the lots have been sold, the owners of sixty percent (60%) of the lots in the plat and all owners in the area to be vacated shall approve, in writing, the proposed nullification and vacation of said plat. This written approval shall accompany the application for nullification and vacation.
  - iii. The request for nullification and vacation is in accordance with state statutes.
3. The applicant shall execute and acknowledge such written instrument and submit it for review and recommendation by the Planning Commission and for approval by the City Council. It shall be the responsibility of the applicant to record such written instrument with the County Clerk.

**Section 707. Variances****A. Platting and Subdivision Design Variances**

Whenever it would be inadvisable to apply a provision of this UDC because a tract is of such unusual size, shape, or character as would render an extraordinary hardship not created or imposed by the owner or developer, the Planning Commission may modify such provisions only to provide that substantial justice may be done, the public interest secured, and the intent and spirit of these regulations fulfilled; provided that in no event shall the requirements of procedure or improvements be waived. Such modifications thus granted shall be made at the written request of the developer stating the reasons for such modification and shall be waived only by  $\frac{2}{3}$ s vote of the regular membership of the Planning Commission. Any such modifications thus granted shall be duly entered and recorded in the minutes of the Planning Commission, with the reasons justifying the modifications set forth therein.

**B. Zoning Variances**

1. In the case of Planned Unit Development or Simplified Planned Unit Development, these regulations may be varied in terms with the outlined development plan as recommended by the Planning Commission and approved by the City Council.
2. Board of Adjustment shall in the case of variance from the terms, standards and criteria that pertain to an allowed use category within a zoning district as authorized by this UDC according to the review authority specified in Section 702.

**C. Administrative Decision Appeals**

As specified in Section 702 of this UDC and in state statutes the Board of Adjustment shall hear and decide appeals of Administrative Officials and their decisions if it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning regulation.

**D. Residential, Commercial, and Industrial Building Permits**

The Development Services Director or Public Works Director may approve and issue a building permit prior to the installation or completion of the improvements set forth in Article 6, Section 604, provided all requirements have been met. However, no structure shall be occupied prior to all improvements being installed, approved, and accepted by the city council, with proper maintenance bonds.

**Section 708. Conditional Uses****A. Authority and Execution**

It shall be the duty of the Development Services Director or designee/staff for determining compliance with this and all other applicable ordinances prior to approval of a conditional use.

The Development Services Director or designee/staff shall permit only those conditional uses authorized in individual zoning districts, subject to the standards and conditions set forth under Article 3. Section 308.D. They shall not have the authority to vary, modify or waive any of the regulations or standards prescribed for any conditional use, except as provided herein.

**B. Submission Requirements**

1. A complete site plan shall be filed with each application for a Special Permit. The site plan shall show location of all structures and shall give graphic evidence of compliance with all regulations of the zoning district in which the special permit is to be located and compliance with the general standards for the specific use.
2. Staff shall review the application for completeness and shall distribute to other departments for review as necessary.
3. Staff shall make a determination within a reasonable period of time and shall have the ability to request more information from the applicant in order to adequately demonstrate the conditions have been met.

**C. Terms**

Any conditional use reviewed by the Development Services Director or designee/staff which complies with the specific requirements of this chapter and the applicable conditions shall constitute a permitted use on the lot in question. Once a conditional use is permitted, the use shall not be enlarged, extended, increased in intensity, or relocated unless an application for a new conditional review is prepared and approved

**Section 709. Special Permit Uses****A. Authority and Execution**

It shall be the duty of the City Council, under the provisions of this UDC, to evaluate the impact of such uses, to stipulate necessary conditions and restrictions, including those specifically contained herein, and to assure that the use is compatible with the proposed area. In considering an application, the City Council may authorize those uses that are expressly listed herein. However, no special permit use shall be authorized unless said use complies with all of the applicable standards of Article 3. Section 308, all other applicable requirements of this UDC.

**B. Submission Requirements**

1. A complete site plan shall be filed with each application for a Special Permit. The site plan shall show location of all structures and shall give graphic evidence of compliance with all regulations of the zoning district in which the special permit is to be located and compliance with the general standards for the specific use.
2. Staff shall review the application for completeness and upon complete application shall schedule the application for an upcoming planning Commission agenda for consideration and shall distribute the application to other appropriate departments for review.
3. Planning Commission shall hold a public hearing in accordance with state statutes and Section 704 of this Article. Within a reasonable time from the close of the public hearing the Planning Commission shall forward its findings of fact and recommendation of either approval, approval with conditions, or denial on applications for Special Permit Uses to the City Council.
4. The City Council shall consider the application within a reasonable time after receiving the findings of fact.

**C. Terms**

1. Status of Special Permit Uses: Once a special permit has been granted, the use shall not be enlarged, extended, increased in intensity, or relocated without an application for a new special permit.
2. Revocation: A special permit may be revoked by subsequent action of the City Council after 30 days' notice to the owner of the subject property and a public hearing before said Council, upon a finding that the conditions imposed on the issuance of the permit or the standards for special permits set out in this section, as amended, have not been satisfied or the use has become incompatible with other uses of land within or without the zoning district.
3. Expiration: All approvals of special permit shall expire by default if either:
  - i. If the use is not established or construction is not initiated within 12 months.
  - ii. If the use, once established, has been discontinued or abandoned for a period of 12 months.

**D. Record of Special Permit Uses**

A record of all applications for Special Permit Uses, including action taken by the City Council, and recommendation of Planning Commission, shall be kept on file by the City Clerk and copies shall be available on request for a fee specified by the City.

**Section 710. Platting****A. Platting Requirement**

To provide documentation of intent for public record and for purposes of securing safety from fire, providing a proper arrangement of streets, assuring the adequacy of open space for traffic, utilities, and emergency vehicles, commensurate with the intensification of land use customarily incident to change in zoning, a platting requirement is established as follows:

1. Every zoning request for land which is not already platted shall be accompanied by a preliminary plat which complies with the Subdivision and Platting Regulations of the City of Yukon, said preliminary plat shall include any adjacent land which is fifty (50) percent or more owned or under option by the applicant.
2. Every zoning request for land which is already included within a plat which does not comply with the Subdivision and Platting Regulations of the City of Yukon, must be accompanied by a new preliminary plat which complies with the Subdivision and Platting Regulations of the City of Yukon.

**B. Preliminary Plats**

1. The subdivider shall submit at least three (3) copies of the preliminary plat to the City Manager or his designated agent, who shall review the plat for conformity with these regulations.
2. The Manager or his duly designated agent shall submit the plat to the Planning Commission together with his report and recommendations. After receipt of the preliminary plat, the Planning Commission shall, within thirty (30) days of its submission to the City by the subdivider, approve, conditionally approve, or reject the plat.
3. After its consideration the Planning Commission shall return one (1) copy of the preliminary plat to the subdivider and forward one (1) copy to the City Council together with its report on any conditions of approval or the reasons for rejection.
4. Approval of the preliminary plat shall not, in all cases, entitle the subdivider to approval of the final plat. After preliminary approval, if any conditions arise which would cause the preliminary plat to become unsatisfactory due to health, safety, or welfare of the community, the Planning Commission shall recommend that the final plat be rejected.

**C. Final Plats**

1. The developer shall submit three (3) paper copies and one (1) copy on stable base tracing medium of Mylar or comparable material of the proposed subdivision, drawn to a scale of 1" = 100'; such final plat shall be prepared by a registered civil engineer or surveyor. The final plat of the proposed subdivision shall be submitted to the Planning Commission and City Council for final approval within five (5) years of the date on which the preliminary plat was approved by the City Council. If not submitted for final approval within such time, the preliminary plat approval shall be considered as null and void, and resubmission of all plats, along with the appropriate filing fees, to the Planning Commission and City Council shall be necessary.
2. In addition, should the final plat not be submitted to the City Council within one (1) year from the approval or disapproval of the Planning Commission, then in that event, all action concerning the final plat shall be considered as null and void, and resubmission of

the plat, along with appropriate filing fees, to the Planning Commission and City Council shall be necessary.

3. The Planning Commission shall review the final plat for conformance with the preliminary plat and shall prepare a set of written recommendations to be submitted to the City Council at the time the final plat is considered.
4. The Planning Commission shall within forty-five (45) days of the submission of the plat to the City of Yukon hold a public hearing to examine the final plat. The Planning Commission shall, within forty-five (45) days after the closing of the public hearing, approve or disapprove the plat. The applicant may waive the forty-five-day requirement and consent to an extension of the period. If the final plat is approved with the modification or waiver of certain requirements, the Planning Commission shall specify the reasons therefore. If the final plat is disapproved, the grounds for refusal, including citation of the applicable regulations or general plan, shall be stated on the records of the Planning Commission. If the Planning Commission fails to act and the applicant does not consent to an extension of time, a certificate by the City Clerk as to date of submission of plat for final approval and failure of the Planning Commission to act thereon within such specific time shall be sufficient in lieu of written endorsement of approval.
5. The action of the Planning Commission shall be shown on the final plat, with the date of action, over the signature of the chairperson or vice-chairperson.
6. Following a public hearing, the planning commission shall transmit to the city council the tracing and two paper copies of the final plat, together with copies of the commission's recommendations and a listing of all required improvements to the city council.
7. Prior to consideration of a final plat by the city council improvement plans and any required drainage plans or studies shall be submitted to Development Services for review.

#### **D. Replats and Amending Plats**

1. Replats required: A replat or amending plat is required for property in which there has been a change in lot allocation, dedicated infrastructure, or easements; including lot combinations or lot line adjustments.
2. Administrative approval: The Development Service Director or designee/staff may administratively approve lot combinations or lot line adjustments if the lot size is not altered any more than 10 percent and/or does not result in an increase in density. In the event these conditions can not be met, the case proceeds to Planning Commission for consideration.
3. Certified copies: Certified copies of the entire subdivision and deed restrictions shall accompany replats.
4. Subject to final plat requirements: Replats are subject to the same requirements as final plats and shall contain the information required in this article.
  - a. The Development Services Director may waive this requirement if the replat or amending plat involves minor changes.

#### **E. Lot Splits**

1. Purpose: The purpose of providing for the processing of lot-split plats is to allow for the conveyance of simple property divisions.
2. Defined: Those matters which shall be considered as lot splits are those which involve the dividing or redividing of a single parcel of land into not more than four resulting parcels, and which dividing shall not involve the extension, opening, vacating, narrowing, or

change of alignment of any public street, right of way, or easement. The division of properties may be processed as lot split plats only to the extent of the creation of three divisions, resulting in four parcels.

3. Administrative approval: The Development Services Director or designee/staff shall have the ability to review and approve such lot split applications as meets following conditions.
  - a. Where the resulting parcels are all larger than five acres; or
  - b. Where the proposal is for the purposes of shifting property lines with the result that there are no more land parcels created than before the action; or
  - c. Where the proposal does not involve the dedication or vacation of any public rights-of-way or easements.
4. Legislative approval: When the lot split cannot be administratively approved the proposed lot split shall be set for recommendation by the Planning Commission, followed by consideration by City Council. In the event of a denial of a proposed lot split by the legislative body with reasons set forth for denial in writing the applicant may appeal the decision at district court.
5. Requirements: The following items are required to be submitted at the time of application for a lot split.
  - a. Instruments by which the interests of the land shall be conveyed (deed)
  - b. A before and after surveyed drawing stamped by a professional land surveyor registered in the state of Oklahoma.
  - c. Additional items: At the Development Services Director's discretion the following additional items may be requested of the applicant:
    1. A simplified lot-split plat
    2. Restrictive covenants
    3. State approvals of water or sewer provisions
    4. Legal description
    5. Site plan showing public improvements and utilities, and/or existing and proposed improvements.

#### **F. Recording of Plat**

1. Before recording the final plat, it shall be submitted to the City Council for approval and for acceptance of public ways, service and utility easements, and land dedicated to public use. This approval of the plat shall be shown over the signature of the Mayor and attested to by the City Clerk or his deputy. The disapproval of any plat by the City Council shall be deemed a refusal of the proposed dedication shown thereon.
2. After final approval of the plat by the City Council and the affixing of all required signatures on the original tracing, the subdivider shall provide the Planning Commission with two (2) dark line prints thereof and one (1) contact reproducible tracing on stable base material. One (1) dark line print shall be retained in the permanent file of the Planning Commission and one (1) shall be sent to the office of the City Clerk. The final plat shall also be submitted digitally in AutoCAD or GIS shapefile format.
3. After the Planning Commission and City Council have approved the final plat, no change shall be made therein unless said plat is resubmitted for approval of the Planning Commission and City Council.
4. After final approval of the plat and the affixing of all required signatures on the original tracing the Final Plat shall be filed with County Clerk, meeting all statutory requirements for such filing.

## Section 711. Fees

All such required fees regarding preliminary and final plats, zoning applications, plat vacation, variances, appeals, special permits, and lot splits shall be set by the City Council of the City of Yukon by resolution.

## Article 8. Nonconformities

### Section 801. General Applicability and Intent

Within the districts established by this UDC or amendments that may later be adopted, there exist lots, structures, and uses of land and structures which were lawful before this UDC was passed or amended but which would be prohibited, regulated, or restricted under the terms of this UDC or future amendment. It is the intent of this UDC to permit these nonconformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this UDC to be incompatible with permitted uses in the districts involved. It is further the intent of this UDC that nonconformities shall not be enlarged upon, expanded, or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district. A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land shall not be extended or enlarged after passage of this UDC.

### Section 802. Use

#### A. Use of Nonconforming Structures

If a lawful use of a structure, or of [a] structure and premises in combination, exists at the effective date of adoption or amendment of this UDC that would not be allowed in the district under the terms of this UDC, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this UDC in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this UDC, but no such use shall be extended to occupy any land outside such building.
3. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.
4. When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six (6) consecutive months, the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located.
5. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.
6. In the event that any structure that is devoted in whole or in part to a nonconforming use is structurally damaged or destroyed through no fault of the use, the nonconforming use may be re-established provided that no new nonconformities are created, and the degree of the previous nonconformity is not increased. If the structure containing the nonconforming use is a nonconforming structure, the structure may only be rebuilt, restored, repaired, or reconstructed in accordance with adopted Building Codes. However, if a building permit is not

obtained within one year of the date of damage or destruction, then the nonconforming use may not be reestablished.

### **B. Use of Nonconforming Land**

Where, at the effective date of adoption or amendment of this UDC, lawful uses of land exist that are no longer permissible under the terms of this UDC as enacted or amended, such uses may be continued so long as they remain otherwise lawful, subject to the following provisions:

1. No such conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this UDC.
2. No such nonconforming use shall be enlarged or increased or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this UDC.
3. If any such nonconforming use of land ceases for any reason for a period of more than thirty (30) days, any subsequent use of such land shall conform to the regulations specified by this UDC for the district in which such land is located.

### **Section 803. Lot**

In any district in which a lot exists of record at the effective date of adoption or amendment of this UDC which does not conform in size or area to the provisions of this UDC, buildings for the uses permitted in such district may be erected on such lot, notwithstanding limitations imposed by other provisions of this UDC.

### **Section 804. Site Elements**

#### **A. Definition**

A nonconforming site element is a non-structural, physical characteristic of a site, such as landscape, fences or walls, lighting, and design, or number of parking and loading spaces, that at one time conformed to the requirements of this Code but has been made nonconforming. This does not include nonconforming signs.

#### **B. Maintenance**

Normal maintenance and incidental repair to a nonconforming site element may be performed. No repairs or reconstruction are permitted that would create any new nonconformity or increase the degree of the previously existing nonconformity.

#### **C. Required Conformance**

All nonconforming site elements must be brought into conformance when the following occurs:

1. General
  - a. The existing principal structure is demolished, and a new structure is constructed.
  - b. A new principal structure is constructed.
  - c. The existing principal structure is increased in total building footprint by 25% or more.

- d. An existing parking lot of 20 or more spaces is fully reconstructed, or an existing parking lot areas is expanded by 50%. Resealing or restriping of an existing parking is not considered reconstruction.

## 2. Additional Specifics

1. When 50% or more of the length of a fence or wall is reconstructed along any one lot line, all fences or walls on the site must be brought into conformance.
2. When 50% or more of exterior lighting fixtures are replaced, all exterior lighting on the site must be brought into conformance.

## D. Exemptions

An existing parking lot which is required by item C.1.d. above to provide landscaping which would result in creating a parking area that no longer conforms to the parking regulations of this UDC, such existing parking lot may not be required to install all or a portion of the required landscaping. The applicant is required to show that landscaping cannot be accommodated on the site. If only certain requirement can be accommodated on the site, only those elements are required. The Development Services Director, or designee, shall make the determination that all or portion of the required landscape does not have to be installed.

## Article 9. Enforcement

### Section 901. Official

It shall be the duty of the Zoning Administrator, or Development Services Director as defined in Chapter 2 Sec.2-180 of the Codes of Ordinance, City of Yukon, Oklahoma to enforce this UDC.

### Section 902. Duties

#### A. Zoning Review

Upon the application for a building permit the Development Services Director shall review the development to determine that the land and/or structure is in conformance with the terms of this UDC. The zoning review does not authorize construction; it certifies that the land and/or structure is in conformance with the terms of this UDC. This includes review for conformance with the required site plan and proposed building elevations for a PUD or SPUD project. If substantial deviation from the provided site plan or elevations is found the project shall not progress through the building permit process until conformance is achieved.

1. **New Construction:** No building or other structure shall be erected, constructed, enlarged, altered or repaired in such a manner as to prolong the life of the building, nor shall the use of any land/or building or other structure be changed without a zoning review of such construction, alteration, repair, or use changes as being in compliance with the provisions of this UDC. No building permit shall be issued for any construction not conforming to this UDC.
2. **Change in uses of land/or building:** No change shall be made in the use of any land/or building or structure after the passage of this UDC until a zoning review has been conducted, determining that all the provisions of this UDC have been complied with.

#### B. Violations

If the Development Services Director shall find that any of the provisions of this UDC are being violated, they shall notify in writing the persons responsible for such violations, indicating the nature of the violation and/ordering the action necessary to correct it, and shall take such other action as is authorized by law to ensure compliance with or to prevent violation of its provisions.

### Section 903. Penalties

Any person who shall violate any provision of this Ordinance, or who shall fail to comply with an order properly made in connection with the enforcement of this Ordinance shall be guilty of an offense and, upon conviction thereof, shall be punished as provided in Chapter 1. Sec. 1-7 of the Code of Ordinance, City of Yukon, Oklahoma.

**Section 904. Fines**

Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine up to \$750.00 or as outlined in Chapter 1. Sec. 1-7 of the Code of Ordinance, City of Yukon, Oklahoma

**a. Fine Schedule for Short Term Rental use**

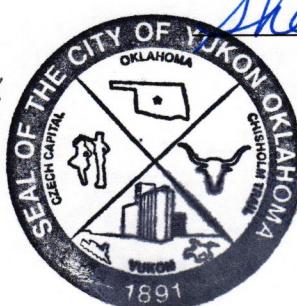
Type of Violation	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	3 <sup>rd</sup> Violation
Advertising a property for short-term rental (online or offline) without first having obtained a Special Permit for the use and Short Term Rental license	\$200 per day	\$400 per day	\$650 per day
Violating any terms of the Special Use Permit or any terms of the Short Term Rental License (Chapter 18. Article VI.)	\$250 per day	\$500 per day	\$750 per day
The remedies provided for in this fine schedule are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued by the local government to address any violation or other public nuisance.			

- II. Section 204-32 of the Current Yukon Municipal Code is hereby deleted in its entirety.**
- III. Section 204-4 of the Current Yukon Municipal Code is hereby deleted in its entirety.**
- IV. APPENDIX A of the current Yukon Municipal Code containing the Zoning Ordinance for the City of Yukon, and APPENDIX B of the current Municipal Code containing the Subdivision and Platting Regulations for the City of Yukon are deleted in their entirety.**

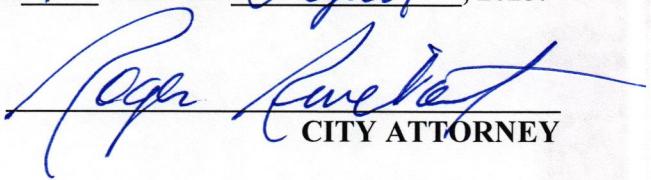
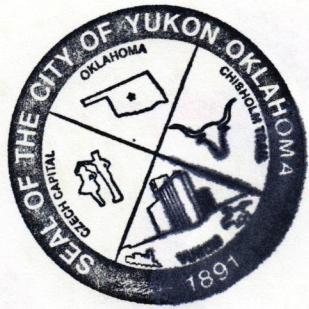
IT BEING IMMEDIATELY NECESSARY FOR THE PRESERVATION OF THE PUBLIC PEACE, HEALTH, AND SAFETY OF THE CITY YUKON, OKLAHOMA, AND THE INHABITANTS THEREOF, AN EMERGENCY IS HEREBY DECLARED TO EXIST. BY REASON WHEREOF IT IS NECESSARY THAT THIS ORDINANCE SHALL GO INTO FULL EFFECT AND BE OF FORCE IMMEDIATELY UPON ITS PASSAGE AND PUBLICATION.

**PASSED AND APPROVED** at the regular meeting of the City Council of the City of Yukon, Oklahoma and duly signed by the Mayor this 1<sup>st</sup> day of AUGUST, 2023.

  
ATTEST: CITY CLERK



  
Shelli Selby  
MAYOR

  
\_\_\_\_\_  
CITY CLERKAPPROVED AS TO LEGAL FORM THIS 1st DAY OF August, 2023.  
\_\_\_\_\_  
CITY ATTORNEY

# Yukon Zoning Map



## Legend

Zoning Overlay	
	I-40
Zoning District	
A - Agricultural District	
R1 - Single Family Residential	
R1-PUD - Single Family Residential PUD	
R2 - Residential District	
R2-PUD - Combined Residential District PUD	
R3 - Multi-Family Residential	
R3-ZUD - Multi-Family Residential PUD	
CB - Central Business District	
CO - Office District	
CD - Commercial District	
CC - Restricted Commercial District	
CD-PUD - Combined Commercial District PUD	
Ch - Heavy Commercial District	
II - Light Industrial	
IIc - Industrial	
IIr - Heavy Industrial	
MH - Mobile Home Park	

