

## **EURO Frequently Asked Questions**

### **Why the Overlay?**

- Attempt to encourage the development of missing types of housing within areas that have full city services, access to downtown, and transit.

### **What does the Overlay allow?**

- The Overlay gives property owners the right to add an Accessory Dwelling Unit (ADU) to an existing home. ADUs are popular among homeowners because of their versatility. The capacity to care for elderly parents or adult children is a valuable social advantage for many. They're also becoming a more popular option for homeowners who want to age in place. As individuals get older, the opportunity to downsize their houses practically and safely becomes more vital. An ADU is a fantastic alternative for older folks, especially if it has no steps and is completely on one level. They can rent out the ADU while living in the main house, then move into the ADU when they need less room and rent out the main house.
- The Overlay also allows for Live/Work Units which are units in which a person can live and have a workspace. Live/Work Units were included in the most recently adopted Building Code by the State of Oklahoma. The city has adopted that code and the Overlay clarifies how these units can operate within the area. Quickly, the “work” portion of the building cannot be more than 50% of the building or more than 2,500 sf. and no more than eight people can be at the business at a time. Parking must also be provided. The ordinance also includes a list of prohibited uses that cannot be a part of a Live/Unit.

### **How does this overlay impact me/my property?**

- It will allow property owners within the outlined areas to construct Live/Work Units, residential accessory dwelling units (ADUs), triplexes, or quadplexes on their property, without having to go through the public hearing process for site plan. This does not override the zoning of the property, as the applicable zone must apply to said property.

### **Does the Overlay allow apartments?**

- The Overlay allows triplexes and quadplexes if the conditions for those are met – meaning the underlying zoning district allows it, the property size meets the current code for that kind of unit and off-street parking can be provided.

### **Does the Overlay require a property owner to do anything?**

- No. The discretion is left up to the property owner when to change anything on their property.

### **Does the Overlay change existing covenants or restrictions or the authority of the HOA if it exists?**

- No.

### **Does this mean the City is going to take/redevelop my property?**

- The Overlay does not allow for the City to take your property or redevelop your property. The property owner has sole control over what happens to their property.

### **What impact will this have on property values?**

- Data is limited but information from the National Board of Realtors show that properties that have an ADU are sought after. In the largest cities, a home with an ADU is priced 35% higher, on average, than a home without one, according to Porch.com.

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AMENDING CHAPTER 22 OF THE EDMOND MUNICIPAL CODE ZONING ORDINANCE BY CREATING A NEW CHAPTER 22.4.39 EDMOND URBAN RESIDENTIAL OVERLAY, ADDING NEW DEFINITIONS TO CHAPTER 22.9.2 DEFINED TERMS, AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

SECTION 1. Chapter 22.4.39 of the Edmond Municipal Code is hereby created to read as follows:

**CHAPTER 22.4.39. - Edmond Urban Residential Overlay**

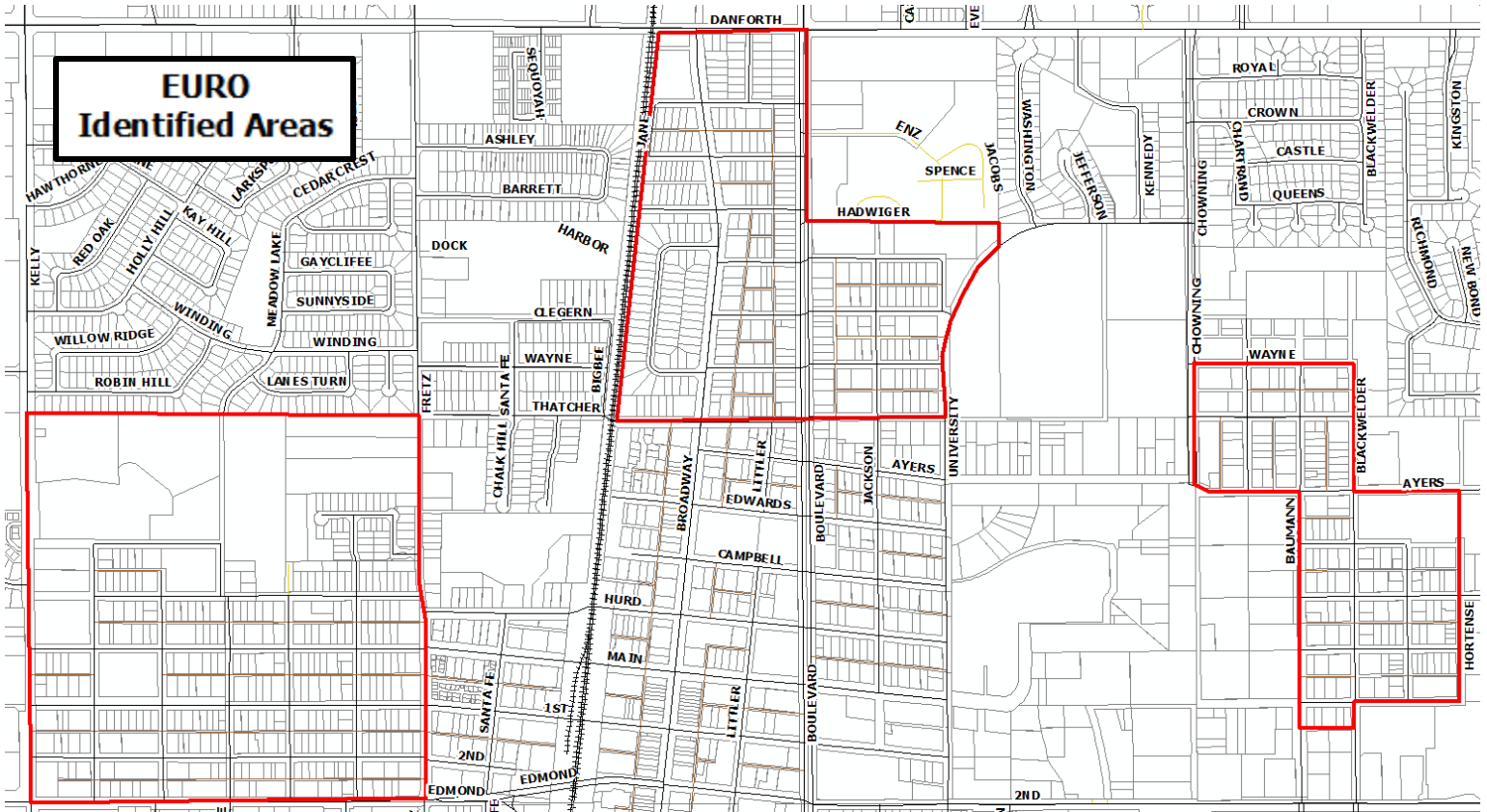
(A) Purpose. The purpose of this Section is to establish standards for the review and allowance by-right of Live Work/Work Live Units, Accessory Dwelling Units (ADUs), and Triplexes or Quadplexes without the requirement for Site Plan Review (22.3.5) within the Edmond Urban Residential Overlay (EURO) district(s).

(B) Objectives. The objectives of these standards are to:

- Allow the blending of uses and densification in the areas designated as Urban Neighborhood or University Neighborhood in The Edmond Plan.
- Increase mixed housing options, attainable housing units, supplemental income for the owner, or guest houses for the primary residence.
- Support a balance between jobs and housing, encourage mixed-use development, reduce travel mileage, increase walkability, and bring small-scale businesses to new areas.
- Maximize existing public infrastructure, assets, and levels of service by increasing development options.

- Complement the walkable nature of the existing development patterns and provide connections to the Downtown core and University area.

(C) Applicability. The Edmond Urban Residential Overlay be applied to those areas as shown on the following.



(D) Live-Work/Work-Live Units.

(1) Limitations.

The following standards shall govern Live-Work buildings:

- Units that include an office that is less than ten (10) percent of the area of the dwelling unit are to be classified as dwelling structures with home occupancies, not a Live-Work unit.
- The Building and Fire Code, Planning, Urban Forestry, Engineering, Solid Waste, and Electric Departments shall review permits for Live-Work units and the permit shall not be issued until each

Department has approved the permit application. A pre-application meeting may be required.

- Hours of external operations shall not be before 7 a.m. or after 8 p.m. No deliveries by commercial vehicles shall occur between the hours of 7 p.m. and 7 a.m., or on the weekend.
- In accordance with Chapter 22.3.3, the owner may apply for a Specific Use Permit (SUP) to expand business hours or terms of operation. The owner/applicant must show how the following conditions will be met in order for the SUP application to be considered:
  - The proposed use is substantially compatible with developments in the immediate area and would not be detrimental to nearby properties.
  - Granting the SUP will not materially damage the health, safety, and general welfare of the immediate neighborhood.
  - Granting the SUP will not allow a use, density, or intensity which is not in accordance with the Comprehensive Plan designation or any applicable specific plan for the property.
  - SUPs shall run with the land, provided there is no change to operation of the existing use. Any changes to the existing use, including terms, hours of operation, or abandoning of an approved use for six (6) consecutive months renders the SUP null and void.
- The owner and operator of the business shall be the primary resident.
- After approval and construction of a Live-Work unit, it shall not ever be converted into an entirely commercial use without consideration of the appropriate zoning district and subsequent Site Plan (22.3.5) approval.
- No more than five (5) employees are allowed.
  - No more than eight (8) persons in total to be on-premises at any given time.

- The non-residential use is limited to the frontage and first or main floor of the building.
- (2) Lot and Building Dimensional Standards.
- The non-residential portion (i.e. the "work" portion) shall not exceed 50% of the total building square footage.
  - The non-residential portion of the live/work unit shall not exceed 2,500 square feet.
  - Minimum lot size is 1,700 square feet.
  - Minimum lot width is twenty-five (25) feet.
  - Maximum height is equivalent to the underlying zoning district or no more than three (3) stories, whichever is less.
    - Maximum allowed height may be subject to overhead electric lines.
  - Setbacks shall be:
    - Front yard - ten (10) feet
    - Rear yard - ten (10) feet
      - Fifteen (15) feet for properties abutting existing residential uses.
    - Side yard - zero (0) feet, in accordance with Electric, Building and Fire Code regulations.
    - Street-side yard - ten (10) feet
- (3) Façade & Materials.
- Materials and colors used on the building shall be within the character of the surrounding area.
  - Metal shall be allowed as an accent material only and shall be no more than 20% of the façade.
  - Upper story balconies shall be located facing the interior of the lot only.

(4) Access.

- A public, shopfront access into the building must be provided, from at least one public right-of-way.
- The business must be ADA accessible from at least one public right-of-way and connected via a sidewalk.

(5) Parking

- Minimum of two (2) off-street spaces per Live Work Unit.
  - Automobiles shall not block the sidewalk or alley when parked in an off-street space.
- Shared parking agreements may be considered for multi-unit developments.
- At least one (1) bicycle parking space, as defined in 22.6.1.(C)(11), shall be provided per Live Work Unit

(6) Utilities and Solid Waste

- All Live Work units shall connect to Edmond water, sewer, and electric.
- Units may have separate meters for the business and residence.
  - There shall be a clear defined separation inside the building if using separate meters, as determined by Building and Fire Code Services.
  - Separate meters shall be reviewed on a case-by-case basis.
- Solid waste containers shall be reviewed on a case-by-case as part of the building permit review process.
  - Commercial accounts are ineligible to receive recycling from the City of Edmond.

(7) Sign Regulations

- At least one (1) exterior wall sign per Live Work unit indicating the business that occupies it is required.

- A maximum of four (4) square feet is permitted per wall sign.
- Signs shall not be lighted, use blinking or flashing accessories, and should not be immediately visible via illumination outside of regular business hours.
- Accent lighting on or around the sign may be permitted.
- Additional signs or sign types may be permitted.
- All permanent signs must be reviewed and permitted by the Planning Department.

(8) Landscaping

- Live Work units shall be landscaped with front-yard street trees in accordance with the Edmond Tree and Landscape Guide.
  - The Urban Forestry Department shall review/inspect placement of trees or approved alternative as part of the building permit review process.
- Landscaping shall not encroach on public right-of-way, sidewalks, or sight triangles unless specifically authorized.
- Existing tree canopy shall be preserved where feasible.

(9) Exterior Lighting, Screening, Noise, and Fencing

- Any and all exterior lighting shall not exceed 0.2 footcandles at any lot line.
- Outdoor on-building and security lighting is permitted.
- The lamp portion of exterior lighting fixtures shall not be mounted more than twelve (12) feet above grade.
- More intense uses, which may occur outdoors, shall be appropriately screened from the public right-of-way, and adhere to noise regulations.
- Any accessory outdoor storage shall be appropriately screened from the public right-of-way.

- Storage associated with the business is permitted on no more than fifteen (15) percent of the total building unit area.
- Street yards shall not be fenced with sight-proof fencing or any fencing above four (4) feet in height.

(10) Prohibited Uses & Standards

- Accessory Dwelling Units are prohibited on the same lot as a Live Work unit.
- Two (2) lots shall not be used in conjunction as integral facilities, with residential and commercial placed on separate lots.
- Accessory structures are permitted within this district, shall be clearly incidental to the permitted principal use, and must be screened from the public right-of-way.
- No portion of a Live Work unit may be rented or sold separately.
- Home Owner, Property Owner, or Neighborhood Associations within this Overlay shall not limit the development of a Live Work unit.
- Prohibited uses include:
  - Manufacturing, assembling, compounding, or dismantling of heavy industrial or mineral uses.
  - Uses that involve animals on-site (Kennels, veterinarian, pet day-care, etc.)
    - Excluding household pets occupying the residence.
    - For businesses serving food, household animals will comply with all local, state, and federal regulations concerning the industry.
  - Storage facilities
    - Excluding personal storage or business-associated storage as regulated in this ordinance.



- Vehicle sales and service of any kind
- Drive-in or drive-thru of any kind.
- On-site consumption of food or beverage.
  - Food service establishments shall be compliant with and within the conditions of the Homemade Food Freedom Act of Oklahoma and utilize only domestic cooking appliances.
- Liquor sales
- Medical Marijuana businesses
- Sexually oriented businesses
- Any other uses explicitly prohibited within the City of Edmond as found 22.4.2(D).

(E) Accessory Dwelling Units (ADUs)

(1) Limitations

The following standards shall govern ADUs:

- Construction or creation of an ADU requires issuance of a residential building permit.
- ADUs are allowed by-right within the overlay boundaries, and do not require approval through a public hearing process.
- The ADU shall have a separate address from the primary residence for fire and safety purposes.
- The ADU shall not be sold separately from the primary residence if the resulting child parcels for either the ADU or primary residence are less than 1,700 square feet.
  - Lot splits procedures are described in 21.01.060 and 21.07.050.
- The ADU shall provide at least one (1) full bathroom and one (1) full kitchen containing permanent cooking facilities.

(2) Types Allowed

- Detached (new)
  - Shall be located in the rear or side yard only.

- May be above a new or existing detached garage.
- Attached (new)
  - Shall not extend beyond the front wall of the primary residence.
  - May be above, below, or behind the existing residence.
  - Shall abide by the applicable Building and Fire Codes regarding two-family dwellings.
- Conversion (renovated)
  - Shall not encroach in the front yard beyond the front wall of the primary residence.
  - May be an interior conversion of an existing area in the primary residence or accessory structure
  - May be an existing attached or detached garage, upper floor, basement, or other part of the primary residence.
  - Shall abide by the applicable Building and Fire Codes regarding two-family dwellings.



Image Courtesy of  
<https://www.planning.org/knowledgebase/accessorydwellings/>

(3) Lot and Building Dimensional Standards

- The ADU square footage shall not exceed fifty (50) percent of the primary dwelling square footage.

- The ADU shall be a minimum of 400 square feet in size.
- Minimum lot size is 3,400 square feet for the primary dwelling plus one (1) ADU.
- Maximum height is equivalent to the underlying zoning district.
  - If the ADU is two-stories, proximity to neighboring residences with privacy concerns may need to be addressed.
  - Maximum allowed height may be subject to overhead electric lines.
- Setbacks may be reduced to
  - Rear yard - five (5) feet
  - Side yard - three (3) feet
    - Additional setbacks may be required for Drainage, Electric, Building or Fire code regulations.
  - Street-side yard (corner lots) - five (5) feet

(4) Façade & Materials

- Materials and architectural style used on the ADU shall be consistent with the character of the surrounding area and the primary/existing residence on the property.
- Attached or Conversion ADUs shall be generally the same material and color of the primary residence.
- Metal is allowed as an accent material only and shall be no more than twenty (20) percent of the façade.

(5) Access & Parking

- The ADU shall have a separate private entrance from the primary residence.
- Automobiles shall not block the sidewalk or alley when parked in an off-street space.
- The ADU may have shared parking with the existing residence or private parking off the frontage or alley.
  - One (1) off-street space must be provided for each ADU.

- A separate driveway is permitted for the ADU only if:
  - Alley access is available, and an alley-located driveway is easily accessible as described in 22.6.1(7)(a) Parking Dimension Standards.
  - The property is a corner lot, which would allow one (1) driveway per street frontage and shall be reviewed on a case-by-case basis.

(6) Utilities and Solid Waste

- All ADUs shall connect to Edmond water, sewer and electric.
- All ADUs shall have a separate utility account, meter, and service line connections from the primary residence.
- ADUs may have separate solid waste service from the primary residence.
  - If the number of requested solid waste containers for the ADU exceeds one (1) for waste and one (1) for recycling, it shall be reviewed on a case-by-case basis through the permit review process.

(7) Landscaping

- Tree planting is required unless the property cannot properly sustain them.
  - The Urban Forestry Department shall review/inspect placement and number of trees, or approved alternative, through the building permit review process on a case-by-case basis.
- Landscaping shall not encroach on public rights-of-way, sidewalks, or sight triangles unless specifically authorized.
- Existing tree canopy shall be preserved where feasible.

(8) Uses & Other Standards

- Occupations are prohibited within an ADU.
  - Home occupations, in accordance with 22.4.37(E), may occur in the primary residence only.

- Home Owner, Property Owner, or Neighborhood Associations located within this overlay shall not limit the development of an ADU.

(F) Triplexes and Quadplexes

(1) Limitations

The following standards shall govern these buildings:

- Within the Edmond Urban Residential Overlay boundaries, triplexes and quadplexes shall be exempt from Site Plan Review (22.3.5).
- Will require the issuance of a residential or commercial building permit.
- Structures should architecturally present as residences compatible with the surrounding neighborhood.
- Each individual unit is required to have a separate entrance, interior or exterior.
- Lot and structure dimension standards shall remain the same as the underlying base zoning district, in accordance with 22.5.1 Residential Standards.
- Parking standards shall remain the same as the underlying base zoning district, provided at least one (1) off-street parking space is provided per unit.
- All units shall connect to Edmond water, sewer, and electric.

SECTION 2. Chapter 22.9.2 of the Edmond Municipal Code is hereby amended to insert/add the following defined terms:

Accessory Dwelling Unit (ADUs). Dwellings with living accommodations for one or more persons independent and separate from the primary residence. ADUs are utilized for the purpose of providing mixed housing options, a lower cost of living, supplemental income for the owner, or as a guest house for the primary residence.

Live-Work/Work-Live Units. Buildings that include or combine workspace and residential occupancy into a single structure.

Quadplex. A building that includes four dwelling units on one lot or parcel. The units may be attached vertically, horizontally, or both.

Triplex. A building that includes three dwelling units on one lot or parcel. The units may be attached horizontally, vertically, or both.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

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

PASSED AND APPROVED the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
MAYOR

Attest:

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City Clerk

APPROVED as to form and legality this the \_\_\_\_\_

day of \_\_\_\_\_, 2023.

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CITY ATTORNEY