

Ordinance O-1920-51

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DELETING SECTION 5-404 OF ARTICLE IV OF CHAPTER 5 (“BUILDING CONSTRUCTION”), RESERVING THE SAME, AND ADDING SECTION 22-431.10 (“RESIDENTIAL CARPORTS”) TO CHAPTER 22 (“ZONING ORDINANCE”); AND AMENDING SECTION 22-441 (“BOARD OF ADJUSTMENT”) TO CHAPTER 22 (“ZONING ORDINANCE”) OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH NEW RESIDENTIAL CARPORT STANDARDS IN THE ZONING ORDINANCE AND PROVIDE FOR BOARD OF ADJUSTMENT REVIEW OF RESIDENTIAL CARPORT APPLICATIONS AS SPECIAL EXCEPTIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Section 5-404 of the Code of the City of Norman shall be deleted and reserved:

~~Sec. 5-404. – Carports: Setbacks required.~~

- ~~(a) No carport shall be constructed nearer than five (5) feet to any side yard line and shall not be constructed nearer than seven (7) feet to the front property line nor within any sight triangle of intersection streets. The construction of carports shall only be authorized or permitted on the premises on which there now exists a dwelling structure.~~
- ~~(b) The installation or construction of a carport on property on which there has not been a commencement of construction of a new dwelling structure as of November 22, 1966, which carport would extend past or beyond the required front yard setback line, is specifically prohibited except in those cases where other carports exist in the same block on either side of the street; in which case, a carport would be permitted to extend past the front yard setback line but only to the extensions of the same block.~~

Reserved.

§ 2. That Section 22-431.10 of the Code of the City of Norman shall be adopted to read as follows:

SEC. 431.10 – RESIDENTIAL CARPORTS

1. Carport Defined: A permanently roofed structure, open on all sides, except where attached to an existing structure, providing space for the parking or storage of private passenger vehicles.
2. Applicability: Residential carports, constructed to the standards set forth herein, are allowed in the following zoning districts, subject to Board of Adjustment approval as a Special Exception: RE Residential Estate Dwelling District; R-1 Single-Family Dwelling District; R-1-A Single Family Attached Dwelling District; R-2 Two Family Dwelling District; RM-2 Low Density Apartment District, RM-4 Mobile Home Park District; RM-6 Medium Density Apartment District; and R-3 Multi-Family Dwelling District.
3. General Provisions:
 - a. Carports shall not be used for the outside storage of materials, equipment or goods or the parking and/or storage of inoperable vehicles.

- b. No more than one carport shall be permitted for each dwelling unit.
 - c. A building permit shall be required prior to construction, and the structure shall comply with all applicable building, zoning and development codes except as provided herein.
 - d. The carport shall not be enclosed.
 - e. All carports shall be kept in good repair and safe and sanitary condition.
 - f. All carports open on all sides existing as of the date of adoption of this section shall be grandfathered and considered a nonconforming use, subject to the restrictions concerning nonconforming uses as set forth in Section 419 of the Zoning Ordinance.
 - g. The area of the carport, combined with all other structures on the lot, shall not exceed the maximum lot coverage established for the zoning district in which it is located.
4. Carport Construction. Carports shall be constructed in compliance with the following:
- a. All carports shall be located over a paved hard-surfaced drive. Provided however, a gravel driveway may be used to satisfy the requirement if the property owner can demonstrate that the gravel driveway existed in accordance with Section 431.7(f)(2) and was continually maintained.
 - b. Carports may be constructed past the front set back or applicable build line, as set forth in the applicable underlying Zoning District, only in conformance with the conditions herein as a Special Exception approved by the Board of Adjustment, except that no carport shall be constructed nearer than seven (7) feet to the front property line nor within any sight triangle or intersecting streets.
 - c. The construction and maintenance of carports shall only be permitted on premises where a dwelling structure is also present and maintained.
 - d. Carports shall use similar construction materials as the principal dwelling structure they serve and shall have compatible architectural style.
 - e. Carports shall not be constructed of cloth or fabric of any kind. Tarps, canvas or similar materials shall not be used to enclose the carport. Metal roofed/covered carports shall not be permitted in the front yard except when the principal dwelling structure has a metal roof; in that case, an attached carport may utilize the same material as the principal structure.
 - f. Poles, beams, or other devices supporting a carport structure shall not be exposed metal or galvanized material. All poles, beams or other supporting devices must be covered with materials aesthetically compatible to the principal dwelling structure.
 - g. A carport shall occupy a minimum area of 180 square feet, up to a maximum area of 440 square feet, and shall have a minimum width of nine (9) feet.
 - h. The structure must be designed to meet Building Codes and Local Amendments applicable at the time of construction.
 - i. A carport shall not exceed a maximum height of fourteen (14) feet, or the height of the principal dwelling structure, whichever is less.
 - j. Guttering shall be installed and maintained in a manner to prohibit any increase of water run-off onto the adjacent property.
5. Carports on Corner Lots. Carports located on corner lots shall be permitted to extend within the minimum front yard setback or exterior side yard setback requirement upon approval by the Board of Adjustment subject to the following additional conditions:

- a. The carport must comply with all regulations in Section 3 and 4.
- b. No part of the carport canopy or appurtenance may extend into the front yard setback more than seven feet and into the exterior side yard setback more than three feet.
- c. In no case shall the installation of the carport interfere with the existing sidewalks, sight triangle or fire hydrants.
- d. All carports which extend into the required front yard setback must abut the principal dwelling structure and shall be permanently open on all sides.

§ 3. That Section 22-441 of the Code of the City of Norman shall be amended to read as follows:

SEC. 441 – THE BOARD OF ADJUSTMENT

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7. Special Exceptions Defined and Enumerated. A special exception is defined as follows: “A special exception is a use that would not be appropriate generally or without restriction throughout the zoning district but which if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning districts as special exceptions if specific provision for such special exceptions is made hereafter.”

The Board of Adjustment is hereby empowered and authorized to grant the following specific exceptions, to wit:

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(g) To allow the construction and maintenance of Residential Carports, as set forth in Article XII, Section 431.10.

§ 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day
of _____, 2020.

NOT ADOPTED this _____ day
of _____, 2020.

(Mayor)

(Mayor)

ATTEST:

(City Clerk)