

CITY COUNCIL CONFERENCE MINUTES

September 24, 2019

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:30 p.m. in the Municipal Building Conference Room on the 24th day of September, 2019, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:

Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark

ABSENT:

None

Item 1, being:

DISCUSSION REGARDING CARPORTS IN RESIDENTIAL ZONING DISTRICTS.

Ms. Jane Hudson, Interim Director of Planning and Community Development, said the Community and Transportation Committee (CPTC) discussed regulations for carports on May 19, 2014, and Staff moved forward with developing detailed ordinance language that focused on whether material compatibility should be included as it could be costly for applicants; however, after discussion on October 23, 2014, there was no consensus on whether or not to move forward. On June 18, 2018, CPTC renewed discussions regarding carports and again there was no consensus to move forward with regulations. On July 27, 2019, CPTC once again discussed regulations and there was consensus in moving the language to full Council for review.

Ms. Hudson said current language has been problematic for many years because it is very difficult to determine if some carports were built prior to 1966 as well as determine if building permits were issued for those carports.

Ms. Hudson said concerns expressed in prior meetings were about the architectural design and materials of carports so Staff has included criteria on design, materials, etc. One suggestion from the recent Committee meeting was to have the Board of Adjustment review, approve, or deny applications for carports if the applicant could not meet setback requirements. She said carport regulations are currently in Chapter 5 of the Code so those regulations will be removed from Chapter 5 of the Code of Ordinances and added to Chapter 22 of the Zoning Code in order to allow the Board of Adjustment to review the applications.

Ms. Hudson said under the proposed language, all applicants requesting a carport that will extend forward of the main dwelling structure will be required to submit to the Board of Adjustment for approval of a special exemption. Those carports located at or behind the front of the main dwelling structure are required to construct per the standards set forth in the Carport Ordinance, but not required to appeal to the Board of Adjustment for special exemption. Historically, if a property owner could locate the carport behind the required front and side setbacks, they were issued a

building permit. Unless varied by the Board of Adjustment, no carport shall be constructed nearer than five feet to any side yard line and shall not be constructed nearer than seven feet to the front property line nor within any sight triangle or intersecting street.

Within the general provisions, carports shall not be used for storage of materials, no more than one carport shall be permitted for each dwelling unit and a building permit must be obtained. All open carports existing as of the date of adoption of the ordinance that do not have record of a building permit shall be grandfathered and considered a non-conforming use subject to the restrictions concerning non-conforming uses set forth in Section 419 of the Zoning Ordinance. She said all carports shall be located over a paved hard-surfaced drive; however, a gravel driveway may be used to satisfy the requirement if the property owner can demonstrate that the gravel driveway existed before July 1966 and was continuously maintained in accordance with the maintenance requirements of the currently adopted International Property Maintenance Code. The construction and maintenance of carports shall only be permitted on premises where a dwelling structure is also present and maintained.

Carports shall use similar construction materials as the principal dwelling structure they serve and shall have compatible architectural style. 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 principle dwelling structure has a metal roof and in that case, an attached carport may utilize the same material as the principle structure. 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 material architecturally compatible to the principle dwelling unit. A carport shall not exceed a maximum height of 24 feet or the height of the immediate adjacent dwelling structure for which it serves. Guttering shall be installed or slope of roof maintained in a manner to prohibit any increase of water run-off onto the adjacent property.

A special exception is defined as “a use that would not be appropriate generally or without restriction throughout the zoning district but 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 exemptions if specific provision for such special exceptions is made hereafter.”

Councilmember Hall asked how the City will determine or enforce construction materials being similar to the principle dwelling structure and Ms. Hudson said Staff will look at what is on file for the main structure. She said that language was added to avoid installation of metal or aluminum carports that deteriorate quickly and become a Code issue.

Councilmember Hall said a maximum height of 24 feet seems high so how was that height established and Ms. Hudson said she honestly did not know how that height was determined. Councilmember Hall asked if it was established to accommodate recreational vehicles (RV's) and Ms. Hudson said that could be the reason. Mayor Clark asked Staff to look into where that 24-foot height requirement came from and inform Council.

Councilmember Hall said there are three Historic Districts in core Norman that have a Historic District Zoning Overlay, which have the most restrictive regulations. She asked if someone lives in a Historic District, would they would be abiding by the guidelines of that Historic District Overlay? Ms. Hudson said that is correct. Councilmember Hall said in the Historic District guidelines, carports are allowed, but require a Certificate of Appropriateness, cannot be attached to the primary structure, and have to be located in the rear yard. Ms. Hudson said Historic District guidelines would supersede this ordinance.

Councilmember Holman said he is satisfied with the language in the draft ordinance and has heard no objections from constituents he has spoken to. He said many residents in his ward have carports already.

Mayor Clark asked if the Board of Adjustment could become overwhelmed with applications and Ms. Hudson said she did not believe there would be that many applications.

Councilmember Wilson asked if Homeowner Association (HOA) covenants override this ordinance and Ms. Hudson said yes.

Councilmember Petrone asked if there is a mechanism in place that would address flooding the adjacent property and Ms. Hudson said yes, the guttering requirement will address that problem.

Ms. Hudson said she will research the 24-foot height requirement and forward that information to Council for input prior to moving the proposed ordinance forward to Council for adoption.

Items submitted for the record

1. Memorandum dated September 24, 2019, from Jane Hudson, Planning and Community Development, to Mayor and City Council, with Exhibit A, draft ordinance

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The meeting was adjourned at 5:47 p.m.

ATTEST:

City Clerk

Mayor