

ORDINANCE NO. O-1617-31

ITEM NO. 10

STAFF REPORT

ITEM: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CITY CODE TO ADD "MUNICIPAL USE, PUBLIC BUILDINGS AND PUBLIC UTILITY" AS A SPECIAL USE IN THE RE, O-1, CO, C-1, C-2, CR, C-3, I-1 AND M-1 ZONING DISTRICTS; TO REMOVE "MUNICIPAL USE, PUBLIC SERVICE OR UTILITY USE" FROM THE PERMITTED USES IN THE A-1 AND A-2 ZONING DISTRICTS AND ADD "MUNICIPAL USE, PUBLIC BUILDINGS AND PUBLIC UTILITY" AS A SPECIAL USE IN THE A-1 AND A-2 ZONING DISTRICTS; TO REMOVE "MUNICIPAL OR PUBLIC USE" FROM THE PERMITTED USES IN THE MUD ZONING DISTRICT AND ADD "MUNICIPAL USE, PUBLIC BUILDINGS AND PUBLIC UTILITY" AS A SPECIAL USE IN THE MUD ZONING DISTRICT; TO REMOVE "MUNICIPAL USE" FROM THE PERMITTED USES IN THE TC ZONING DISTRICT AND ADD "MUNICIPAL USE, PUBLIC BUILDINGS AND PUBLIC UTILITY" AS A SPECIAL USE IN THE TC ZONING DISTRICT AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND: In November, 1995 City Council approved amendments to the Zoning Code which added "Municipal Use, Public Building and Public Utility" as a Special Use in the residential zoning districts. In the A-1 and A-2 zoning districts there are permitted uses listed as "Municipal Use" and Public Service or Utility Use". In the TC zoning district there is a permitted use listed as "Municipal Use". In the M-1 zoning district the Special Use list includes Electric Substation and Sewage Disposal Plant or Lift Station. The commercial zoning districts and the I-1 zoning district do not allow municipal uses as an allowed or special use. The Zoning Code is not consistent in how municipal uses are regulated and the many different terms used are not defined in the Zoning Code. This can lead to confusion in evaluating and determining how these uses are regulated.

DISCUSSION: The City of Norman has many projects underway that are "municipal uses, public buildings or public utilities". These projects include Norman Forward projects, the new Emergency Communications Center and associated facilities, the new Central and East Norman Libraries, the Sewer Treatment Plant upgrade, etc. The locations of these projects do not always correspond to the underlying zoning of the properties; however, the locations are those reviewed and discussed in City Council and committee meetings regarding these projects.

In order for the City to have the greatest flexibility to locate municipal and other public facilities in appropriate locations throughout the City, staff has prepared a Zoning Code amendment that allows "municipal uses, public buildings and public utilities" in all zoning districts as a Special Use. The Special Use designation provides City Council the opportunity to ensure that these projects are in the proper location and enables the approval of conditions that provide protection for surrounding property owners, but at the same time allows City Council to approve variances to specific regulations that best promote the health, safety and general welfare for the community.

STAFF RECOMMENDATION: Staff recommends approval of O-1617-31 in order for the City to be consistent in the development of municipal uses, public buildings and public utilities.