

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

October 23, 2014

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:00 p.m. in the Conference Room on the 23rd day of October, 2014, and notice and agenda of the meeting were posted in 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 Holman, Miller, Williams, and Chairman Jungman

ABSENT: None

STAFF PRESENT: Ms. Susan Connors, Director of Planning and Community Development
Mr. Terry Floyd, Development Coordinator
Ms. Leah Messner, Assistant City Attorney
Ms. Karla Chapman, Administrative Technician III

OTHER GUESTS PRESENT: Mayor Rosenthal
Ms. Joy Hampton, *The Norman Transcript*
Ms. Hailey Mathis, Progressive Independence
Mr. Mark Nanny, Chair Environmental Control Advisory Board
Ms. Karlene Smith, Marketing Specialist for Cleveland Area Rapid Transit (CART)
Mr. Walt Strong, Westheimer Airport

Item 1, being:

CART RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTH OF SEPTEMBER, 2014.

Ms. Karlene Smith, Planner and Grant Specialist, Cleveland Area Rapid Transit (CART), highlighted the CART ridership report for September, 2014. She said the CART test Route #42 – Research Campus, reflected the modifications of improved travel to Research Park as well as reduced traffic congestion. Therefore, the changes for the revised route will remain allowing CART to provide additional service along the Asp Avenue Corridor between Imhoff Road and Lindsey Street and improve the connection between the University of Oklahoma (OU) Main Campus and Research Campus.

Ms. Smith said the University of Oklahoma was recently recognized as a Bicycle Friendly University; only 1 of 100 across the United States. She said CART received an Air Quality Awareness Grant from the Association of Central Oklahoma Governments (ACOG) to install bicycle racks and repair stations and, in connection, the City of Norman also received an ACOG Grant for a bus wrap promoting bicycle safety. She said CART and the CON will work together in the future regarding placement of the repair stations. She said CART will be collecting toys for the Christmas Store in November via the annual “Fill the Trolley.”

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of September, 2014
2. Cleveland Area Rapid Transit flyer entitled, “Attention, Research Route (N42) riders!”

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Item 2, being:

CONTINUED DISCUSSION REGARDING CARPORTS IN RESIDENTIAL ZONING DISTRICTS.

Ms. Susan Connors, Director of Community Planning and Development, said Staff proposed various Code amendments to Chapters 2, 5, 10, 13, and 22 to Council for discussion at a study session on February 4, 2014. One of the suggested amendments proposed to change regulations regarding carports and Council requested more information. Council discussed and felt the regulations were too broad and the language was narrow in scope, allowing only carports in the central portion of Norman. Chairman Jungman said discussion on this item was discussed at the May 19, 2014, Community Planning and Transportation Committee (CPTC) meeting and the Committee requested Staff draft an ordinance integrating regulations from other cities to include quality materials, as well as compatibility to neighborhoods for further discussion and review.

Staff highlighted the existing language and proposed modifications as follows:

Existing Language

Chapter 5 of the City Code Section 5-404 of Chapter 5 regarding carports reads as follows:

Section 5-404. Carports: Setbacks required.

- (a) Setbacks are required, i.e., 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 of streets. The construction of carports shall only be authorized or permitted on premises on which there now exists a dwelling structure.
- (b) 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 legally constructed and permitted 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.

Ms. Connors said carports require a building permit; however, language has been problematic for many years because it is very difficult to determine if building permits were issued for carports or it is difficult to determine when some carports were built on a particular block. She said the current language in Section 5-404 also conflicts with setback requirements in Chapter 22, which is the City's Zoning Ordinance.

Original Proposed Language

Staff proposed to delete language from Chapter 5 and insert the following language to the residential zoning districts in Chapter 22. She said the zoning districts proposed to be changed include: 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-6, Multi-Family Apartment District; R-3, Residential Medium Density Dwelling District; and RO, Residence-Office District. Ms. Connors said the front yard setback varies depending on the required setback in each zoning district; therefore, these regulations are narrow in scope and would primarily allow carports in the central portion of Norman.

The proposed language included:

Carports: Carports must be set back twenty-five (25) feet from front property line unless:

- (1) Property has alley access and is located in the Central Core Area as defined in Section 431.7(c), then it must be placed in back and accessed through the alley; or
- (2) Property has one (1) car garage or no garage, then it can be located no closer than seven (7) feet from front property line and five (5) feet from side property line.

Item 2, continued:

Ms. Connors said there was concern about allowing new carports as stated in the language and how that could affect a neighborhood. Council felt the proposal was too broad and wanted additional criteria to address cheaper metal carports that were not compatible in a neighborhood. On the other hand, some members of Council felt regulations do not allow the elderly, disabled and others on fixed incomes to provide protection for their vehicles. The language does not allow carports in new subdivisions and some Councilmembers felt that carports should be allowed if all neighbors did not object.

Ms. Connors said Staff surveyed 20 cities and a majority of the cities in Oklahoma that allow carports have architectural and/or structural requirements. Staff researched regulations from other communities that include regulating the pitch of the roof, regulating height and width of the carport, requiring rain gutter eaves on carport, etc. Ms. Connors said in some communities, if metal carports are allowed the metal must be a specific gauge of steel and some communities allow carports in the front yard with no setback.

Latest Proposed Language

Based on the information provided and Committee discussion on what should be included in an Ordinance regarding carports in residential zoning districts, Staff prepared language to include:

- Definition: A permanent roofed structure, open on at least two sides, providing space for the parking or storage of private passenger vehicles OR designed for or occupied by private passenger vehicles;
- Zoning Districts: Carports are allowed in the following zoning districts: R-E, Residential Estates Dwelling District; R-1, Single Family Dwelling District; R-1-A, Single-Family Attached Dwelling District; RM-2, Two-Family Dwelling District; RM-4, Mobile Home Park District; RM-6, Multi-Family Apartment District; and R-3, Residential Medium Density Dwelling District;
- 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 (in this Section);
 - d) The carport shall not be enclosed;
 - e) Metal carports shall not be permitted in the front yard except that when the main structure has a metal roof an attached carport may also employ the same material;
 - f) All carports shall be kept in an attractive state, in good repair, and in a safe and sanitary condition;
 - g) All open carports existing as of the date of adoption of this regulation shall be grandfathered and considered nonconforming use, subject to the restrictions concerning nonconforming uses as set forth in Section 419 of the Zoning Ordinance; and
 - h) 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.
- Carport Construction:
 - a) Carports shall use the same construction materials as the main building they serve and shall have compatible architectural style;
 - b) 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;
 - c) The minimum size of a carport is 180 square feet and a maximum of 440 square feet with a minimum width of nine feet;
 - d) The structure must be designed to support a load of 20 pounds per square foot in addition to the weight of the structure;
 - e) Free standing carports shall be supported by two and one-half (2 1/2) inch diameter by fourteen (14) gauge steel columns or columns of equivalent strength, set in concrete footings not less than twenty-four (24) inches deep nor less than twelve (12) inches in diameter;
 - f) All concrete in footing shall be two thousand (2,000) pounds per square inch quality;
 - g) Carports shall comply with the front, side, and rear yard setbacks except as provided in Section (j) below;

Item 2, continued:

- h) The maximum height of a carport is 24 feet or the height of the principal structure, whichever is less;
- i) Guttering shall be installed and maintained in a manner to prohibit any increase of water run-off onto adjacent property;
- j) Carports shall be permitted to extend within the minimum front yard or exterior side yard setback requirement of a corner lot in residential districts upon approval by the Board of Adjustment and subject to the following conditions;
 - 1. The carport must comply with all regulations in Sections 3 and 4 (a) through 4 (i) above;
 - 2. 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;
 - 3. In no case shall the erection of a carport interfere with the existing sidewalks, sight triangle or fire hydrants;
 - 4. All carports which extend into the required front yard setback must abut the main structure and shall be permanently open on three sides from the grade surface to the eaves lines; and
 - 5. All carports shall be located only 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 prior to (a specified date).

The Committee discussed whether the material compatibility should be included within the proposed ordinance as it could be costly for applicants. Councilmember Williams said some of his constituents felt the City should not decide material compatibility for carports. He said he would fully support this proposal if that standard was eliminated. Chairman Jungman said he felt just the opposite; he would fully support this proposal as long as this standard was included in the proposal. Ms. Connors said if the ordinance was approved, any new carport requests would have to meet proposed standards; however, the Ordinance will not be retroactive for carports already constructed.

The Committee discussed and agreed the proposed Ordinance should go forward to full Council at a future Study Session.

Items submitted for the record

- 1. Memorandum dated September 18, 2014, from Susan Connors, AICP, Director, Community Planning and Transportation, with proposed ordinance amendments
- 2. Pertinent excerpts from Community Planning and Transportation Committee minutes of May 19, 2014

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Mayor Rosenthal arrived at 5:25 p.m.

Item 3, being:

POSSIBLE RESOLUTION REQUIRING DEVELOPMENT APPLICATIONS TO INCLUDE WRITTEN RESPONSES TO GREENBELT COMMISSION COMMENTS WHEN FORWARDED TO PLANNING COMMISSION AND CITY COUNCIL FOR RECOMMENDATION AND ACTION.

Ms. Susan Connors, Director of Planning and Community Development, introduced Mr. Mark Nanny, Chair of the Norman Greenbelt Commission (GBC), and said Mr. Nanny made a presentation about their work to the Community Planning and Transportation Commission (CPTC) on March 24, 2014. She said Mr. Nanny's presentation included ideas for new strategies. In addition, the GBC was interested in learning about related projects overseen by this CPTC and is eager to collaborate with the Committee on areas of mutual and overlapping interests.

Mr. Nanny's GBC presentation included the Greenbelt Commission's purpose, vision, and proposals for implementation of the Greenways Master Plan. The GBC recognizes that several boards, commissions and committees are involved as the community develops over an extended period of time, and is continuing the coordination and dialogue necessary in this teamwork effort.

Item 3, continued:

As an implementation step in this process, Councilmember Jungman requested Staff prepare a draft Resolution which would require applicants to address, in writing, comments from the GBC as they move through the public hearing process. In addition, language in the Resolution would require Staff to prepare possible conditions of approval based on the GBC comments.

Staff highlighted the proposed draft Resolution requiring development applications to include written responses to Greenbelt comments when forwarded to Planning Commission and City Council for recommendations and actions. Chairman Jungman said he felt the proposed Resolution is a good idea; however, he wondered whether this effort would be easy or problematic.

Ms. Connors stated Greenbelt Commission comments are *very* early in the process and projects can change; therefore, the Greenbelt Commissions comments may not coincide nicely with the (end) project. Ms. Leah Messner, Assistant City Attorney, said Staff looks for current Ordinance satisfaction when reviewing applications. She said Staff can make suggestion(s) to the developer; however, Staff cannot recommend a denial to Council on the project simply because the developer does not incorporate the suggestions.

Mayor Rosenthal said the goal is to get highlights for Council within Staff's reports and felt a Resolution is not needed since Council already has the ability to achieve this now. She suggested Staff make a table/chart of "recommendations made" and "recommendations taken" for any project moving forward during the public hearing process, i.e., Parks Board, Greenbelt Commission, Pre-Development, and Planning Commission and forward such to Council with the Staff report in order that Council will have all the information at the applicant's presentation. The Committee agreed the proposed Greenbelt Commission Comments Resolution should not go forward at this time.

Items submitted for the record

1. Memorandum dated October 17, 2014, from Susan Connors, AICP, Director, Community Planning and Transportation, with proposed draft resolution

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Item 4, being:

MISCELLANEOUS PUBLIC COMMENT.

None.

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The meeting adjourned at 5:40 p.m.

ATTEST:

City Clerk

Mayor