



## Legislation Text

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**File #:** O-1718-21, **Version:** 1

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**CONSIDERATION OF ORDINANCE O-1718-21 UPON SECOND AND FINAL READING:** AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A MUNICIPAL USE IN THE A-2, RURAL AGRICULTURAL DISTRICT, FOR PART OF SECTION SEVEN (7), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3428 JENKINS AVENUE)

**SYNOPSIS:** City of Norman, as applicant, is proposing to locate a 300' communication tower at this site to help serve the residents of south and west Norman as well as municipal services with an updated emergency communication system.

**BACKGROUND:** In November of 1995 City Council approved amendments to the Zoning Code which added "Municipal Use, Public Buildings and Public Utility" as a Special Use in the residential zoning districts. In the A-1 and A-2 zoning districts they were permitted uses listed as "Municipal Use" and "Public Service or Utility Use". In the TC zoning district there was a permitted use listed as "Municipal Use". In the M-1 zoning district the Special Use list included "Electric Substation" and "Sewage Disposal Plant or Lift Station". The commercial zoning districts and the I-1 zoning district did not allow municipal uses as an allowed or special use. The Zoning Code was not consistent in how municipal uses were regulated and the many different terms used were not defined in the Zoning Code. Council and staff agreed the differences could lead to confusion in evaluating and determining how these uses were regulated so staff moved forward to clean up the language and require Special Use for future applications of "Municipal Use, Public Buildings and Public Utility". In order for the City to have the greatest flexibility to locate municipal and other public facilities in appropriate locations throughout the City, staff prepared a Zoning Code amendment that now 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.

**ANALYSIS:** This is the first group of applications to come forward under the amended zoning to request Special Use. The City's Emergency Communication System is the primary means for services such as 911; the 911 Communication Officers notify Norman's Public Safety first responders, i.e., medical, fire and police, for request of service from citizens as well as the primary means of communication between the same first responders. In 2008 the City of Norman was informed by the manufacturers of the City's Emergency Communication System that the service would no longer be serviceable in 2018. With this information available to staff, in 2016 Norman City Council approved the purchase of a new Public Safety Emergency Communications System. The communication system has identified six sites that include a 300' tower. The location will also have an 11'6" x 24' shelter near the base of the tower that holds the electronic support equipment. The entire fenced compound will be 80'x58' 2".

### **ALTERNATIVES/ISSUES:**

**IMPACTS:** The University of Oklahoma owns the abutting properties to this site; there are no residential components located on the adjacent properties.

- **Lights** Exterior lights have not been submitted for review at this stage; however, exterior lights will be reviewed for compliance with the Commercial Outdoor Lighting Standards.

### **OTHER AGENCY COMMENTS:**

### **PRE-DEVELOPMENT PD#17-25 - NOVEMBER 16, 2017**

### **Neighbor's Comments/Concerns/Responses**

Mr. Bill Woods, a property owner to the north of the Animal Welfare property had several questions. He hopes to develop his property for a research/business park. He first asked what the wattage of the tower would be. He also inquired into the wind rating of the tower. He also wondered which direction the tower would fall, if it did collapse. Lastly, Mr. Woods asked when the tower would be completed.

**Applicant's Response**

Mr. Hart, the applicant's consultant for the tower construction, stated it would be 100-watts, and further stated it was similar to the tower located on the Sarkey's Energy Center located on the University of Oklahoma campus. Mr. Hart stated that the tower is rated to withstand a 150 mph wind. He added that given the purpose of the tower, that it be constructed to still be standing after a high wind event. Mr. Hart stated that the modern day communications like this one are designed to fall within itself, if there is an event that causes the tower to collapse. He added that these towers do not have guy wires. Mr. Hart stated that towers would be functioning by this time next year.

- **PARK BOARD:** This is not a residential use and therefore no park requirements are applicable.
- **PUBLIC WORKS:** There are no platting requirements associated with this proposal. The drive or access point is preexisting for the Animal Welfare Facility in use; there will be no additional public improvements required for this antenna upgrade.

**STAFF RECOMMENDATION:** This entire area located on the west side of Jenkins Avenue from the Animal Welfare Facility and continuing south consists of municipal uses; zoning and allowing for the additional use of the site for the tower is a housekeeping measure to comply with zoning requirements. Staff supports this request and recommends approval of Ordinance O-1718-21.

At their December 14, 2017 meeting, the Planning Commission unanimously recommended adoption of Ordinance O-1718-21 by a vote of 9-0.