



## Legislation Text

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**File #:** O-1920-34, **Version:** 1

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CONSIDERATION OF ORDINANCE O-1920-34 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 REMOVE PART OF SECTION NINETEEN (19) OF TOWNSHIP TEN (10) NORTH, RANGE ONE (1) EAST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (13300 EAST DEER CREEK ROAD)

**SYNOPSIS:** The applicants, John and Tara Chambers, are requesting to rezone from A-2, Rural Agricultural District, to PUD, Planned Unit Development, to allow for construction of a main dwelling unit along with an accessory dwelling unit (ADU) consisting of approximately 1,200 square feet.

The applicants want to provide living accommodations, including separate cooking facilities, for aging family members but cannot do so legally under the existing A-2, Rural Agricultural District, as it does not allow for separate cooking facilities/two kitchens on one tract; therefore, the applicants are submitting a PUD, Planned Unit Development, outlining the allowed uses on the site.

The PUD proposes that the applicants will live in the existing manufactured home up to 4 years while they develop and build their main dwelling of approximately 2,000 square feet, along with a garage/shop building. Once the main dwelling is complete, the parents will move into the manufactured home and live there for a year while the new accessory dwelling unit of approximately 1,200 square feet is built. Once construction of the accessory dwelling unit is complete, the manufactured home will be removed. The applicants also intend to build a 2,400 square foot garage/shop to be utilized by both the applicants and the parents.

**ANALYSIS:** The particulars of this PUD include:

1. **USE:** Construction of an accessory dwelling unit (ADU) that will be secondary to the main house, allowing for aging parents to live on-site. The ADU will have separate cooking facilities allowing the residents as much independence as possible, while keeping relatives that provide assistance and care in close proximity. The PUD Narrative states uses allowed shall be limited to a single family home, an accessory dwelling unit as well as accessory structures such as the garage/shop the applicants intend to build. The applicant also requests the inclusion of other traditional "A-2" uses, such as growing agricultural crops and raising farm animals. No uses other than those listed in the PUD are allowed.

Though the Zoning Ordinance allows individuals to apply for the placement of a manufactured home on a lot with an existing home in the A-2 zoning district due to medical hardships, in this instance the applicant desires a more permanent home for their elder parents.

3. **OPEN SPACE:** This property is approximately 10 acres, even with the construction of a new main structure and the accessory dwelling unit along with the addition of barn/accessory outbuilding, the open space area is more than adequate for this area.
4. **PARKING:** The applicants plan to have a garage on the main dwelling unit but the accessory dwelling unit may or may not have a garage. However, the accessory shop building will provide additional parking as well. The current driveway will be used to access the accessory dwelling while an extension to the driveway will be needed to access the main dwelling.

### **ALTERNATIVES/ISSUES:**

**IMPACTS:** The impacts of the applicant's request for this PUD, to allow the addition of an ADU to permit aging relatives in poor health to live in close proximity, will be minimal. Though the applicant could request to use the existing manufactured home for elderly parents through the Board of Adjustment Special Exception process, the applicants in this case would like to provide a permanent home for their parents. This area of Norman is made up of large acreage residential developments. The PUD proposes that the main dwelling and accessory dwelling be located more than 100 feet from the front, side and rear property lines of this 10-acre tract which meets the required setbacks of the A-2 District. Therefore, the impact of the proposed ADU will be minimal and in keeping with the character of the surrounding residential homes on large tracts.

**ACCESS:** The applicants propose to utilize the existing access onto Deer Creek Road, which is the only access allowed under this PUD.

**SITE PLAN:** The site plan submitted with the PUD Narrative establishes the location of the main dwelling unit along with the accessory dwelling unit which both meet required setbacks required in A-2.

Property contains flood plain, however, existing and proposed structures will be located out of the flood plain.

### **OTHER AGENCY COMMENTS:**

**PUBLIC WORKS** This tract is part of the Norman Rural Certificate of Survey, Northfork Estates. The site is on well and septic; no public infrastructure is required. The existing access is on Deer Creek Road and there will be no additional access points from either Indian Meridian or Deer Creek Road granted as part of this application.

**STAFF RECOMMENDATION:** This request for a PUD, to allow the construction of a main structure and an ADU on this 10-acre tract, is supported and staff recommends approval of Ordinance O-1920-34.

At their January 9, 2020 meeting, the Planning Commission unanimously recommended adoption of Ordinance O-1920-34, by a vote of 8-0.

Since the Planning Commission meeting, the applicants have worked with staff to revise the PUD to provide clarity regarding the development of uses and phasing, which may help address some of the concerns expressed by neighbors.

