

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

September 25, 2014

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the Conference Room on the 25th day of September, 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 and Chairman Jungman
ABSENT:	Councilmembers Miller and Williams
STAFF PRESENT:	Ms. Susan Connors, Director of Planning and Community Development Ms. Leah Messner, Assistant City Attorney Ms. Karla Chapman, Administrative Technician III
OTHER GUESTS PRESENT:	Ms. Karlene Smith, Marketing Specialist for Cleveland Area Rapid Transit (CART)

Item 1, being:

CART RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTHS OF JULY AND AUGUST, 2014.

Ms. Karlene Smith, Planner and Grant Specialist, Cleveland Area Rapid Transit (CART), said the CART ridership was up 19%. She said CART hired two (2) planning interns who will evaluate existing routes that will help identify opportunities to make changes to improve services. Ms. Smith said CART will test Route #42 – Research Campus, for a possible route change the week of September 29th to October 3rd. If the test period is successful, the revised route will allow 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 since the new fiscal year, 604 individuals have applied to use the Community Development Block Grant (CDBG) passes and CART anticipates over 1,000 individuals will use the CDBG passes based on last year's users.

Four (4) new paratransit vehicles arrived on September 23, 2014, which will accommodate up to 14 ambulatory passengers and up to four (4) wheelchairs. The vehicles were provided with Federal Transit Administration (FTA) Section 5310 funds through Department of Human Services (DHS) Aging Services. Ms. Smith said two (2) new fixed route vehicles are scheduled for delivery next fall. She said CART completed its Title VI Civil Rights Program and will submit to FTA before October 1, 2014. This program includes CART's program to ensure equal access to all persons.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of July, 2014
2. Cleveland Area Rapid Transit Ridership Totals for the Month of August, 2014
3. Cleveland Area Rapid Transit Flyer entitled, "Attention, Research Shuttle riders!"
4. Cleveland Area Rapid Transit Flyer entitled, "Stuff the Bus For Operation Homefront," scheduled October 10, 2014

Item 2, being:

CONTINUED DISCUSSION REGARDING CARPORTS IN RESIDENTIAL ZONING DISTRICTS.

Ms. Susan Connors, Director of Community Planning and Development, said Staff proposed 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.

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; 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, R-1, R-1-A, RM-2, RM-3, RM-6, and R-3;
- 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 foot 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;
 - h) The maximum height of a carport is 24 feet or the height of the principal structure, whichever is less;

Item 2, continued:

- 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 (date).

Chairman Jungman asked Staff approximately how many carports are requested per year and Ms. Connors said approximately 10. Ms. Connors said this is not a huge issue; however, those residents who want a carport (and really need one due to health or disability issues) cannot construct one. She stated some Home Owners Association (HOA) covenants will not allow carports at all.

Chairman Jungman said he liked the latest draft standards for carports and Councilmember Holman agreed. Chairman Jungman requested Staff bring this back to the October 23, 2014, CPTC for discussion and to gain addition Committee comments.

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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Item 3, being:

MISCELLANEOUS DISCUSSION.

Chairman Jungman requested the following items be included on the October 23, 2014, Community Planning and Transportation Committee (CPTC) for discussion.

- Discussion of a resolution that would require developers to respond to comments made by the Greenbelt Commission and would require Staff to respond to those comments with potential suggestions for conditions to be placed on the developer that will achieve the suggestions/recommendations of the Greenbelt Commission;
- Review ownership of the current R-3 properties to have a better idea of whether or not there are any existing R-3 tracts of enough size that, if the proposed R-3 amendments are adopted, those property owners would lose the opportunity to construct the type of residential units by right that the proposed R-3 ordinance amendments would require a special use permit to construct; and
- Discuss downzoning; specifically, look at a voluntary program for downzoning that the City could assist with or a program to help defray the cost(s) of downzoning.

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The meeting adjourned at 5:55 p.m.