

Ordinance No. O-2223-20

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 5-401 (1) CARPORT DEFINITION, AMENDING SECTION 5-403 OF ARTICLE IV OF CHAPTER 5 (“BUILDING CONSTRUCTION”) TO ADD REGULATIONS FOR CONSTRUCTION OF CARPORTS, AND DELETING SECTION 22-431.10 (“RESIDENTIAL CARPORTS”) IN CHAPTER 22 (“ZONING ORDINANCE”); AND AMENDING SECTION 22-441 (“BOARD OF ADJUSTMENT”) TO CHAPTER 22 (“ZONING ORDINANCE”) TO REMOVE THE SPECIAL EXCEPTION REQUIREMENT FOR CARPORTS IN CHAPTER 22 (“ZONING ORDINANCE”) OF THE CODE OF THE CITY OF NORMAN AND TO ESTABLISH NEW CARPORT STANDARDS IN ARTICLE IV OF CHAPTER 5; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Section 5-401 of Chapter 5 of the Code of the City of Norman shall be amended to read as follows:

Sec. 5-401. - Definitions.

The following words and phrases when used in this article shall, for the purpose of this article, have the meaning respectively ascribed to them in this section except where the context otherwise requires:

~~(1)Carport: Any structure having a roof and roof supports, but no sidewalls, and is intended for use solely as a shelter for motor vehicles.~~

1. Carport: All structures, whether attached to an existing structure or freestanding, which are constructed for the purpose of providing a roof-type cover only, for the protection from the sun, rain, snow, sleet or hail of passenger vehicles.

2. Fallout shelter: Any structure designed to protect the occupants from the effects of residual radiation resulting from a nuclear detonation.

3. Tornado shelter: Any underground structure designed to protect the occupants from the effects of wind and debris resulting from a tornado.

- § 2. That Section 5-403 of Chapter 5 of the Code of the City of Norman shall be amended to read as follows:

Sec. 5-403. - Carports: Construction.

~~(a) Carports shall be designed and built so as not to create a fire or other hazard to person or property in the vicinity thereof and shall conform as nearly as possible and be in harmony with the existing structures in the surrounding neighborhood.~~

~~(b) No metal shall be utilized as the roof of any carport except that specifically designed for such purpose.~~

~~(c) The sides of a carport shall never be covered or enclosed by any materials whatsoever, nor shall the sides of such carport be constructed closer than five (5) feet to any fence, growth of vines, flowers, or other vegetable matter.~~

~~(d) The supports of a carport may be constructed of wrought iron or aluminum, steel or aluminum pipe or tubing, and brick. If the supports consist of wrought iron or aluminum, they shall not exceed a dimension of more than one (1) inch in thickness nor more than twelve (12) inches in width; if made of steel or aluminum tubing or pipe, they shall not be more than four (4) inches in diameter; and if made of brick, they shall not be more than twelve (12) inches in any dimension.~~

~~(e) The side supports of any carport situated in any front yard must be no closer together than ten (10) feet.~~

1. Applicability: Carports are allowed in any zoning district so long as they are constructed to the standards set forth herein.

2. 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. In residential zoning districts, no more than one carport shall be permitted for each per residential 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 herein.
- d. The carport shall be open on all sides except where attached to a structure.
- e. All carports shall be kept in good repair and safe and sanitary condition.
- f. All carports open on all sides, except where attached to a structure, existing as of the date of adoption of this section shall be considered a legal nonconforming

use for purposes of the Zoning Ordinance, subject to the restrictions concerning nonconforming uses as set forth in Section 419 of the Zoning Ordinance.

- g. 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.

3. Carport Construction. Carports shall be constructed in compliance with the following:

- a. All carports shall be located 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 in accordance with Section 431.7(f)(2) and was continually maintained.
- b. Carports may be constructed past the front set back or applicable build line, as set forth in the applicable underlying Zoning District, except that no carport shall be constructed nearer than seven (7) feet to the front property line nor within any sight triangle or intersecting streets.
- c. Carports may be constructed within 1' of the side property line so long as the structure is open on the side adjacent to the property line.
- d. In residential zoning districts, the construction and maintenance of carports shall only be permitted on premises where a dwelling structure is also present and maintained.
- e. 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.
- f. The roofing material for the carport must be a minimum of twenty-nine (29) gauge metal.
- g. The structure must be designed to meet Building Codes and Local Amendments applicable at the time of construction.
- h. In residential zoning districts, a carport shall not exceed the height of the principal dwelling structure.
- i. Guttering shall be installed and maintained in a manner to prohibit any increase of water run-off onto the adjacent property.

4. Carports on Corner Lots. Carports located on corner lots shall be permitted as follows:

- a. The carport must comply with all regulations in Section 3 and 4.
- b. 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 four feet.
- c. In no case shall the installation of the carport interfere with the existing sidewalks, sight triangle or fire hydrants.
- d. All carports which extend into the required front yard setback must abut the principal dwelling structure and shall be permanently open on all sides.

§ 3. That Section 431.10 – RESIDENTIAL CARPORTS, of Chapter 22, the Zoning Ordinance, shall be removed in its entirety.

SEC. 431.10 – RESIDENTIAL CARPORTS

(As established by Ord. No. O 1920 51 – July 23, 2020)

1. ~~Carport Defined: A permanently roofed structure, open on all sides, except where attached to an existing structure, providing space for the parking or storage of private passenger vehicles.~~
2. ~~Applicability: Residential carports, constructed to the standards set forth herein, are allowed in the following zoning districts, subject to Board of Adjustment approval as a Special Exception: RE Residential Estate Dwelling District; 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-4 Mobile Home Park District; RM-6 Medium Density Apartment District; and R-3 Multi Family Dwelling District.~~
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 herein.~~
 - d. ~~The carport shall not be enclosed.~~
 - e. ~~All carports shall be kept in good repair and safe and sanitary condition.~~
 - f. ~~All carports open on all sides existing as of the date of adoption of this section shall be grandfathered and considered a nonconforming use, subject to the restrictions concerning nonconforming uses as set forth in Section 419 of the Zoning Ordinance.~~
 - g. ~~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.~~
4. ~~Carport Construction. Carports shall be constructed in compliance with the following:~~
 - a. ~~All carports shall be located 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 in accordance with Section 431.7(f)(2) and was continually maintained.~~

- ~~b. Carports may be constructed past the front set back or applicable build line, as set forth in the applicable underlying Zoning District, only in conformance with the conditions herein as a Special Exception approved by the Board of Adjustment, except that no carport shall be constructed nearer than seven (7) feet to the front property line nor within any sight triangle or intersecting streets.~~
 - ~~c. The construction and maintenance of carports shall only be permitted on premises where a dwelling structure is also present and maintained.~~
 - ~~d. Carports shall use similar construction materials as the principal dwelling structure they serve and shall have compatible architectural style.~~
 - ~~e. 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. Metal roofed/covered carports shall not be permitted in the front yard except when the principal dwelling structure has a metal roof; in that case, an attached carport may utilize the same material as the principal structure.~~
 - ~~f. Poles, beams, or other devices supporting a carport structure shall not be exposed metal or galvanized material. All poles, beams or other supporting devices must be covered with materials aesthetically compatible to the principal dwelling structure.~~
 - ~~g. A carport shall occupy a minimum area of 180 square feet, up to a maximum area of 440 square feet, and shall have a minimum width of nine (9) feet.~~
 - ~~h. The structure must be designed to meet Building Codes and Local Amendments applicable at the time of construction.~~
 - ~~i. A carport shall not exceed a maximum height of fourteen (14) feet, or the height of the principal dwelling structure, whichever is less.~~
 - ~~j. Guttering shall be installed and maintained in a manner to prohibit any increase of water run off onto the adjacent property.~~
- ~~5. Carports on Corner Lots. Carports located on corner lots shall be permitted to extend within the minimum front yard setback or exterior side yard setback requirement upon approval by the Board of Adjustment subject to the following additional conditions:~~
- ~~a. The carport must comply with all regulations in Section 3 and 4.~~
 - ~~b. 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.~~
 - ~~c. In no case shall the installation of the carport interfere with the existing sidewalks, sight triangle or fire hydrants.~~
 - ~~d. All carports which extend into the required front yard setback must abut the principal dwelling structure and shall be permanently open on all sides.~~

§ 4. That Section 441 of Chapter 22, the Zoning Ordinance, shall be amended to remove subparagraph (g), to read as follows:

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7. Special Exceptions Defined and Enumerated. A special exception is defined as follows: "A special exception is a use that would not be appropriate generally or without restriction throughout the zoning district but which if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning districts as special exceptions if specific provision for such special exceptions is made hereafter."

The Board of Adjustment is hereby empowered and authorized to grant the following specific exceptions, to wit:

- (a) To permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record;

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- (f) To permit a mobile home to serve as a temporary second dwelling to relieve a medical hardship. The application must include a doctor's statement indicating that the patient is in need of the care of his or her family. The mobile home must meet all City of Norman Building Code requirements and State of Oklahoma requirements for septic systems. The Exception can be approved for up to 3 years on any lot that is five acres or greater in the A-2 zoning district. The Exception can be renewed every 3 years by filing an application for an administrative extension, including a new doctor's statement. Only two (2) administrative extensions may be granted. If a third extension is needed, a new application will be required for Board of Adjustment review. Once the need for the mobile home no longer exists, the mobile home must be removed.

~~(g) To allow the construction and maintenance of Residential Carports, as set forth in Article XII, Section 431.10. (O-1920-51)~~

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§ 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day
of _____, 2023.

NOT ADOPTED this _____ day
of _____, 2023.

(Mayor)

(Mayor)

ATTEST:

(City Clerk)