



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 01/10/2023

REQUESTER: Jane Hudson

PRESENTER: Jane Hudson, Director of Planning & Community Development

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-20 UPON SECOND AND FINAL READING: 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.

SUMMARY:

The purpose of the ordinance is to amend the approval requirements and design/material requirements for a residential carport structure and moving regulations from Chapter 22, Zoning Ordinance to Chapter 5, Building Construction.

BACKGROUND:

Staff presented information regarding construction of residential carports to Council Committees and Council Study Session in May and October 2014, June 2018, and June 2019. At the October 2014 meeting, the Committee discussed the proposed Ordinance language with a focus on whether the material compatibility should be included, as it could be costly for applicants. There was not a consensus on this issue and the Committee proposed that the Ordinance language should go forward to full Council at a future Study Session. City Council discussed the topic at a Study Session on December 2, 2014. There was no consensus on what the final language should be, the discussion did not proceed and there were no changes to the regulations, at that time.

Beginning again in 2018, Council gave direction to revisit the possible amendment options to the regulations regarding carports in residentially zoned districts. Council requested more information on this amendment and asked that the Community Planning and Transportation Committee (CPTC) discuss this item at a future meeting. Staff brought the carport discussion back to Committee in June of 2018 and again in June of 2019.

In early 2020 staff presented draft ordinance amendments for carports, allowing a process to move forward with construction of carports. In July of 2020, amendments to Chapter 5, the Building Construction and Chapter 22, the Zoning Ordinance were adopted to allow for construction of carports based on the adopted regulations. Since adoption of the July 2020 amendments, Council and staff has received multiple complaints regarding the additional costs and procedure/steps required to obtain approval to construct a residential carport.

Due to the additional cost and time invested to get approval to construct a residential carport staff has developed proposed changes to the regulation of Residential Carports, including amendments to current provision and the relocation of these regulations from the Zoning Ordinance, Chapter 22 of the Code, to Chapter 5 of the Code, where all carport provisions were found prior to the 2020 amendment adoption.

The proposed regulations replace the definition of “carport” currently found in Section 5-401 with the following: “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.”

Further, the proposed regulations significantly amend Section 5-403 to set forth new permitting and construction requirements and standards including but not limited to those addressing setbacks, roofing material standard, maintenance, and stormwater run-off. Finally, by removing these provisions back to Chapter 5 of the Code, the proposed regulations also remove entirely the provisions addressing Residential Carports found in Section 431.10 of the Zoning Ordinance, as well as the enumerated Special Exception provided for Board of Adjustment review of Residential Carports set forth in Section 441 of the Zoning Ordinance.

CONCLUSION:

On December 8, staff presented Ordinance O-2223-20 to the Planning Commission for their approval and recommendation to City Council. Planning Commission unanimously recommended approval, by a vote of 7-0.