



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 07/09/2024

REQUESTER: City of Norman

PRESENTER: Jane Hudson, Planning and Community Development Director

ITEM TITLE: CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-54 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 36-514 ("R-1, SINGLE-FAMILY DWELLING DISTRICT"), 36-516 ("R-2, TWO-FAMILY DWELLING DISTRICT"), AND 36-520 ("R-3, MULTIFAMILY DWELLING DISTRICT"), ALL IN CHAPTER 36 ("ZONING") OF THE CODE OF THE CITY OF NORMAN TO PERMIT R-1 USES FOR UNDERSIZED LOTS WHERE SUBDIVISION EXISTED AT ZONING ORDINANCE ADOPTION OR OCCURRED IN CONFORMITY WITH SECTION 30-605 OF THE NORMAN MUNICIPAL CODE AND ALL BOUNDARY LINES OF THE SUBJECT LOT TOUCH LANDS UNDER OTHER OWNERSHIP; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND: On March 26, 2024, City Council adopted the Accessory Dwelling Unit Ordinance, Ordinance O-2324-40. Accessory Dwelling Units (ADUs) have been a topic of conversation in Norman in recent years. In 2023, the City contracted with the Strong Towns organization for a 24-month Community Action Lab program. One of the primary suggestions from the Community Action Lab was to explore options for an Accessory Dwelling Unit (ADU) ordinance. The community desired options for incrementally increasing density without overbuilding lots or causing undue strain on infrastructure.

At the December 7, 2023, Business and Community Affairs Council Committee parking requirements were the topic of discussion including the following:

- Should an ADU require two parking spaces on-site;
- How to keep additional on-street parking from possibly affecting adjacent property owners;
- Does requiring two parking spaces cause undue burden to property owners who may be at or near allowable coverage of 65%?

Further discussion determined parking would be required if the ADU is over 650 SF in the following districts: A-1, General Agricultural District, A-2, Rural Agricultural District, RE, Residential Estate Dwelling District, R-1, Single-Family Dwelling District, and R-1-A, Single-Family Attached Dwelling District.

With the ADU Ordinance and the parking amendments in place, Planning staff fielded applications/questions for ADUs on some of the undersized lots within the Core Area of Norman. The Core Area is the older area of Norman and, over the years, many lots were subdivided and developed with single-family structures. While the subdivision code allowed these lots to be utilized pursuant to 30-605, the lots were considered legal nonconforming for the purposes of zoning. Thus, the placement of an ADU would destroy non-conforming status, requiring the entire developed lot to achieve compliance or seek available variances. In order to streamline the placement of ADUs on these undersized lots, that were otherwise allowed to proceed with such development, this proposed amendment amends the zoning code to incorporate the provisions of Section 30-605 of the Subdivision Regulations, such that the undersized nature of the lot will no longer be considered a “non-conformity” and will allow the placement of ADUs without further administrative or other hurdles.

Section 30-605 (Exception From Platting A Single Tract For Single-Family Residential Development), provides as follows:

A building permit shall not be denied for single-family residential development to be located on a tract of land when all of the following conditions are satisfied:

1. The total area owned by the applicant shall have been conveyed by a single deed prior to June 29, 1973, or prior to annexation as part of the City;
2. All required street rights-of-way shall have been previously dedicated; and
3. All required easements shall have been previously granted.

The proposed amendments, all found within the Zoning Ordinance, Section 36 of the Norman Municipal Code, are as follows:

Sec. 36-514. R-1, SINGLE-FAMILY DWELLING DISTRICT

* * *

(5) *Intensity of use.* There shall be a lot area of not less than 6,000 square feet, except that where a lot has less area than herein required, either in existence on the effective date of the ordinance from which this section derived, July 13, 1954, or by subdivision complying with NCC 30-605 and all the boundary lines of that lot touch lands under other ownership on the effective date of the ordinance from which this article is derived, July 13, 1954, that lot may be used for any of the uses permitted by this section.

SEC. 36-516. – R-2, TWO-FAMILY DWELLING DISTRICT

* * *

(5) *Intensity of use.*

a. There shall be a lot area of not less than 5,000 square feet for a single-family dwelling; 7,000 square feet for a two-family dwelling or a single-family dwelling and a garage apartment on the same lot.

b. Where a lot has less area than herein required, either in existence on the effective date of the ordinance from which this section derived, July 13, 1954, or by subdivision complying with NCC 30-605 and all the boundary lines of that lot touch lands under other ownership on the effective date of the ordinance from which this article is derived (July 13, 1954), that lot may be used only for the uses permitted in R-1, Single-Family Dwelling District.

SEC. 36-520. – R-3, MULTIFAMILY DWELLING DISTRICT

* * *

(5) *Intensity of use.*

a. There shall be a lot area of not less than 5,000 square feet for a single-family dwelling, and 7,000 square feet for a two-family dwelling or a single-family dwelling and a garage apartment on the same lot.

b. Where a lot of less area than herein required, either in existence on the effective date of the ordinance from which this section derived, July 13, 1954, or by subdivision complying with NCC 30-605 having all the boundary lines touching lands under other ownership on the effective date of the ordinance from which this article is derived, July 13, 1954, that lot may be used only for single-family purposes the uses permitted in R-1, Single-Family Dwelling District.

DISCUSSION: This proposed amendment is a housekeeping measure for the Zoning Code. The proposed amendment objective is to enhance clarity and ensure consistency in the treatment of these undersized lots for the purposes of subdivision and zoning. The attached ordinance provides for clarification within the Zoning Code and eliminate possible conflicts with the existing Subdivision Regulations and eliminate some procedural hurdles for existing undersized lots meeting the parameters set forth in 30-605.

RECOMMENDATION: Staff forwards this possible amendment to Chapter 36, Zoning Ordinance, as Ordinance O-2324-54 for consideration by City Council.

PLANNING COMMISSION RESULTS: At their meeting of June 13, 2024, the Planning Commission recommended adoption of Ordinance O-2324-54 by a vote of 9-0.