

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: 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.

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.

§ 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.

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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)