

Ordinance No. O-2324-24

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-552, FENCING, WALLS AND SCREENING, OF CHAPTER 36, ZONING, OF THE CODE OF THE CITY OF NORMAN, TO ALLOW FOR ADMINISTRATIVE REVIEW AND APPROVAL OF REQUESTS FOR VARIATIONS IN FENCE HEIGHT IN THE A-1, GENERAL AGRICULTURAL DISTRICT, A-2, RURAL AGRICULTURAL DISTRICT, AND RE, RESIDENTIAL ESTATE DWELLING DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 36-552 of Chapter 36 of the Code of the City of Norman shall be amended to read as follows:

36-552 Fencing, Walls, And Screening

- (a) ~~In a residentially zoned district~~ ~~district zoned or used for one or two family dwellings,~~ fencing or screening may not project ~~into any~~ forward of a required front setback line, unless such fencing is less than four (4) feet in height.
- (b) In any district zoned A-1, A-2 or RE, upon submittal of an application and necessary information, as required by the Planning & Community Development Department, an applicant may seek the approval of the Administrative Review Committee for alternative fence heights. The Administrative Review Committee shall be composed of the City Engineer, the Traffic Engineer, the Building Official and the Director of Planning and Community Development, or their designee. The Administrative Review Committee may approve such requests where all of the following occur:
- (1) The City Engineer evaluates and approves the proposed fence location and height, taking into consideration applicable codes;
 - (2) The Traffic Engineer evaluates and approves the proposed fence location and height, taking into consideration applicable codes;
 - (3) The Building Official evaluates and approves the application in light of applicable codes and regulations; and
 - (4) The Director of Planning and Community Development or their designee evaluates and approves the application in light of applicable Norman zoning and development codes, regulations, guidelines and policies.

Notwithstanding the above, approval for fence height in excess of ten (10) feet must be sought from the Board of Adjustment pursuant to 36-570.

(c) Fencing along the side or rear property lines:

- (1) May be erected within any utility easement but is subject to removal by any franchised utility company whenever installation or repair of their facilities is required.
- (2) ~~Excepting an allowance obtained pursuant to subpart (b) herein, m~~May not exceed eight (8) feet in height, unless the written consent of the abutting property owner is secured, or the Board of Adjustment approves the height, location, and materials as a special exception.
- (3) May not be constructed of corrugated fiberglass, corrugated metal, or unpainted sheet metal, nor contain any barbed wire.
- (4) Walls of brick or masonry material, which require a permanent foundation, may not be constructed within any designated utility easement without the written consent of all affected utility franchise holders.
- (5) For parking areas containing six or more parking spaces and/or other vehicular use areas of at least 900 square feet of impervious area to be used as parking, the owners shall screen from any abutting lot zoned or used for single-family purposes by a solid opaque fence at least six (6) feet in height.

(bd) The side and rear property boundaries of all lots used for commercial, industrial, and multi-family uses shall be screened from any abutting lot zoned or used for single-family or two-family purposes by a solid opaque fence at least six (6) feet in height.

- (1) Such fence shall be constructed of any material except for corrugated fiberglass, corrugated metal, or unpainted sheet metal, nor contain any barbed wire.
- (2) No screening may exceed eight (8) feet in height, unless approved by the City Council as part of a specific site plan or granted as a special exception by the Board of Adjustment.
- (3) Any fence requiring a permanent foundation may not be constructed within a utility easement unless written approval has been granted by all affected utility franchise holders.
- (4) Whenever the proposed use abuts a public alley that is shared with one- or two-family dwellings, opaque screening shall be installed on the commercial, industrial, or multifamily property, and shall be solid and continuous except for requiring openings or access drives.

- (5) Such screening must be continuously maintained in good condition and repaired or replaced within a reasonable time period.

§ 2. 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)