

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

June 23, 2014

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:34 p.m. in the Conference Room on the 23rd day of June, 2014, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Holman, Miller, Chairman Jungman
ABSENT:	Councilmember Williams
OTHER COUNCIL PRESENT:	Mayor Rosenthal
STAFF PRESENT:	Ms. Susan Connors, Director of Planning and Community Development Mr. Terry Floyd, Development Coordinator Ms. Leah Messner, Assistant City Attorney Ms. Karla Chapman, Administrative Technician III
OTHER GUESTS PRESENT:	Mr. Randall Adkins, Concerned Citizen Ms. Sherri Lungren, Concerned Citizen Ms. Karlene Smith, Marketing Specialist for Cleveland Area Rapid Transit (CART)

Item 1, being:

CART RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTH OF MAY, 2014.

Ms. Karlene Smith, Planner and Grant Specialist, Cleveland Area Rapid Transit (CART), highlighted the May CART ridership report stating the fixed routes are down a little; however, the CARTaccess is up 3%. She said the annual Dump the Pump was held on June 19, 2014, and ridership was approximately 2,000 for the day.

Ms. Smith said CART is working with the City of Norman and has submitted an Air Quality Awareness Grant to Association of Central Oklahoma Governments (ACOG) for additional bike racks to be installed on the University of Oklahoma (OU) campus as well as three (3) bicycle repair stations. She said if CART is successful in obtaining the grant, two of repair stations will be located on OU campus, one on the north end and one on the south and the third will possibly be located near City Complex. Chairman Jungman requested information on the bicycle repair stations and Ms. Smith said they are simple, sleek and small in size. She said they are a basically a pole with an air pump, gauge to measure the air, tools located inside the pole to adjust bike gears, and all are held in place by heavy-duty sturdy cable so vandalism is not typical according to the sales representative.

Ms. Smith said the City of Norman has also submitted an Air Quality Awareness Grant with ACOG for a bicycle wrap (advertising signage on the rear of a CART bus) and if successful, CART will split the local match with the City for the wrap. She said the wrap will read something to the effect "...a regular lane is also a bike lane..." and it encourages people to be aware of bicyclists on the road and to share the road with bicyclists.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of June, 2014

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Item 2, being:

DISCUSSION REGARDING REMOVING APARTMENT HOUSES AS A PERMITTED USE UNDER THE R-3, MULTI-FAMILY DWELLING ZONING DISTRICT.

Ms. Susan Connors, Director of Community Planning and Development, said at the May 19, 2014, Community Planning and Transportation Committee (CPTC) meeting the Committee requested Staff prepare a code amendment that would remove “apartment houses” as a permitted use in the R-3 zoning district. She said apartment house is defined as the following: A single detached dwelling designed for and occupied exclusively by three (3) or more families living independently of each other as separate housekeeping units, including apartments houses, apartment hotels, and flats, but not including auto or trailer courts or camps, hotels or resort type hotels.

The R-3 zoning district is a multi-family dwelling district and there is no specific purpose identified in the Code for this zoning district. The R-3 District is primarily located in central Norman and has been in place since the adoption of the Zoning Code in 1954. The general boundaries of the R-3 zoning district are Robinson Street on the north, Timberdell Road on the south, Ponca Avenue on the east, and Chautauqua Avenue on the west.

Ms. Connors said there are very few R-3 zoned properties outside of those boundaries, there are square footage requirements in the district for each type of dwelling unit allowed, and the R-3 zoning district permitted uses include:

- a) Any use permitted in the R-1 zoning district;
- b) Two-family dwelling, or a single-family dwelling and a garage apartment;
- c) Apartment house; and
- d) Accessory building and uses customarily incidental to any of the above uses when located on the same lot.

Ms. Connors highlighted the districts in which apartment houses or buildings are allowed to include RM-2; R-3; RM-6; and RO. She said there are no current zoning districts that require a Special Use for an apartment house or building.

Ms. Connors distributed a draft ordinance amendment moving the “apartment house” use to be a Special Use and said this amendment will require that the use go through a public process that includes a pre-development meeting with neighbors and a public hearing at both Planning Commission and City Council.

Ms. Connors said since the Zoning Code currently used the defined term “apartment house” and the undefined term “apartment building” in different sections of the Zoning Code, Staff recommends that the Committee also consider standardizing this language throughout the Zoning Code. One option for achieving this would be to remove “apartment house” as a defined term and instead define the term “apartment” as “a dwelling unit containing culinary and bathroom facilities, consisting of a room or suite of rooms intended, designed, or used by an individual or single family”. Ms. Connors said by making this change, the definition of “apartment” does not limit the number of apartments that can be in a single apartment building within the definition itself as the definition of “apartment house” currently does. She said at Councils direction, the number of apartments permitted in a single building or on a single lot can be specified in each respective zoning category.

Ms. Connors said the RM-2, Low Density Apartment District, currently allows for “apartment buildings containing four or fewer units”. She said to remain consistent; a single apartment building containing four or fewer units could become a Permitted Use in the R-3 zoning district since it is already allowed in the RM-2 zoning district which is a lower-intensity zoning district. However, Staff also recommends requiring any new apartment buildings, containing five or more units, in an R-3 zoning district to apply for a special use permit.

Councilmember Miller asked about the two-family dwellings where detached garages are being used as one bedroom “guest house type” dwellings and Ms. Connors said those are mainly located in the R-1 zoning district. Ms. Connors said not all are illegal dwellings in that many have been around longer than the zoning code; therefore, they are a non-conforming use. She said the R-3 two-family dwelling must be attached and are considered duplexes.

Item 2, continued:

Chairman Jungman said the amended language states R-3, Multi-Family Dwelling District allows an apartment as a permissive use "...containing four or fewer units..." He would rather the language read "... three or fewer units..." and Councilmember Miller agreed. Chairman Jungman asked the Committee what the consensus was for this topic and Councilmember Holman said he supported the amended language as is and Mayor Rosenthal said she could support either the amended language as is or three or fewer.

Chairman Jungman said the amended language does not address duplexes having eight or ten bedrooms (four or five in each duplex unit) and the human density is extreme to what has been recently replaced which was one, two, or three bedroom(s). He wondered if there was a way to address this in the Code to state that a special use is required or approval is needed to change the human density by that factor. Ms. Connors said the City does not currently have any regulatory controls over the number of bedrooms within a unit and would need to research other cities to see if they have any regulations that control the number of bedrooms within a unit. Mr. Randall Adkins, 702 Jenkins, felt the number of bedrooms in a unit is not as much of an issue as the number of people living in the unit. He said the City ordinance already addresses "...no more than three unrelated people ..." through the zoning. Chairman Jungman asked Staff whether the four-bedroom apartments are bound by the three unrelated persons and Ms. Leah Messner, Assistant City Attorney, said yes in most cases. She said some have zoning approved with the stipulation that a four bedroom unit within a student housing development and intended for four people. Councilmember Jungman said if a two, four-bedroom duplex is developed on an R-3 lot that replaces a two-bedroom house they will not have the same privilege and Ms. Messner said no. Chairman Jungman requested Staff to research other cities rules and/or regulations regarding controlling the number of bedrooms within a unit and bring back to full Council.

Mayor Rosenthal asked Staff how the impervious area between the sidewalk and the street was calculated and Ms. Connors said that area is not part of the lot but rather the Right-of-Way (ROW). Mayor Rosenthal requested Staff research and tweak 2(b) Special Use – Setbacks: adding language to include "...or other residential units having eight or more bedrooms..."

Chairman Jungman said since the language "apartment house" is being redefined to "apartment" in RM3, he requested Staff amend the language in zoning districts R2, RM2, RM6, and RO.

Staff will make requested changes and bring back to full Council at a future conference or study session.

Items submitted for the record

1. Memorandum dated June 19, 2014, from Susan Connors, AICP, Director, Community Planning and Transportation, with attached ordinance amendment to Section 422-5, R-3, Multi-Family Dwelling District
2. Norman Zoning Map reflecting with boundaries of Robinson Street on the north, Timberdell Road on the south, Ponca Avenue on the east, and Chautauqua Avenue on the east.

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Item 3, being:

MISCELLANEOUS DISCUSSION.

None

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The meeting adjourned at 6:00 p.m.