

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE XXI OF CHAPTER 4 OF THE CODE OF THE CITY OF NORMAN ESTABLISHING THE PROCEDURES AND POWERS OF THE GREENBELT COMMISSION AND THE STANDARDS TO BE USED BY THE COMMISSION IN THE EXERCISE OF THOSE POWERS; PROVIDING FOR THE CODIFICATION OF SAME; AND PROVIDING FOR THE SEVERABILITY THEREOF.

WHEREAS, the Norman 2025 Land Use and Transportation Program has as a major goal to develop and maintain a greenbelt system for Norman; and

WHEREAS, the Greenbelt Commission (“GBC”) is charged with the task of advising the City Council on policies pertaining to promotion, acquisition, maintenance and improvement of the open spaces, greenways, and trailways systems in the City of Norman; and

WHEREAS, the City has undertaken the development of a Greenway Master Plan; and

WHEREAS, the goal of protecting, enhancing and adding to the City’s current green spaces is better served by evaluation of all applications for land use plan amendments, zoning changes, platting and subdivision of land by the GBC; and

WHEREAS, the green spaces in Norman are often unique and irreplaceable assets of the City valued for many reasons and make Norman a more desirable place to live, work and visit; and

WHEREAS, open spaces promote beauty and feed the human spirit; and

WHEREAS, many green spaces in Norman protect and play a positive role in promoting high water quality and protecting drinking water, and

WHEREAS, many of the green spaces in Norman enhance the quality of the habitat and associated wildlife populations, protect the condition of the riparian zones in the City, as well as enhancing the absorption and drainage of storm water and preventing flooding, improve air quality generally by the natural action of growing plants, as well as cooling the City in summer by shade and transpiration of trees protected in green spaces; and

WHEREAS, many of the green spaces in Norman facilitate pedestrian and other non-motorized transportation benefiting health and welfare by providing opportunities for exercise, for saving money on fuel, and reducing air pollution from motor vehicles; and

WHEREAS, there is a need to balance the benefits to the public of open space with the benefits to the public of development of structures, parking and other impervious surfaces; and

WHEREAS, development should be accomplished with minimal damage to the environment where possible; and

WHEREAS, the Greenbelt Commission (“GBC”) must be open to public input when considering Greenbelt Enhancement Statements (“GES”) applications.

NOW THEREFORE, The City Council hereby amends Article XXI of Chapter 4 of the Code of the City of Norman, Oklahoma as follows:

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

§1. THAT, Section 4-2023 of the Code of the City of Norman, Oklahoma be amended as follows:

Sec. 4-2023. Duties and powers of the Greenbelt Commission. The Greenbelt Commission shall advise the City Council on policies pertaining to the promotion, acquisition, maintenance and improvement of the open spaces, greenways and trailway systems in the City of Norman, and pursuant thereto:

(1) Propose an ordinance establishing the Greenbelt System of open spaces, greenways and trail systems, including, without limitation, the contents of the Greenbelt Enhancement Statement and the duties and responsibilities for submission of such Greenbelt Enhancement Statements, in accordance with the recommendations of the Greenbelt Task Force. Upon the adoption of an ordinance establishing a Greenbelt System and the requirement for a Greenbelt Enhancement Statement, all applications for a Land Use Plan amendment, change in zoning, platting or any subdivision of land in the City shall include a Greenbelt Enhancement Statement that articulates how the goals and objectives of Norman's Greenbelt System plan are met by the proposed development.

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§ 2. THAT, Section 4-2023A of the Code of the City of Norman, Oklahoma be added as follows:

Sec. 4-2023A. Definitions. The plain and ordinary meaning shall be applied to the terms contained herein; however, as used in this chapter, unless the context otherwise requires, the following words or phrases have the meanings listed:

- a. Amenity: The pleasurable or aesthetic features of a plan, project, or location, as distinguished from the utilitarian features.
- b. Bikeway: a thoroughfare designated for bicycle travel by the Norman Bikeway Plan, as may be amended from time to time.
- c. Cluster Development: method of subdividing land which allows the maximum density available within the zoning district while allowing smaller lots than those specified, provided that the land saved is reserved for permanent agricultural use or open space, ideally in common ownership for community use.
- d. Conservation: the supervision, management, and maintenance of natural resources; the protection, improvement, and use of natural resources in a way that maximizes water quality and storm water management, among other natural benefits. .
- e. Conservation Buffer: areas of vegetation placed in or left in the landscape to influence beneficially ecological processes. Benefits include the following: the protection of air and water quality, productive soil, and natural areas; the enhancement of biodiversity, property values, and recreational opportunities; and the reduction of flood danger and noise pollution.
- f. Conservation Easement: a nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purpose of which include, but are not limited to, retaining or protecting natural, scenic, or open-space values of real property, assuring its availability for agricultural , forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.
- g. Floodplain: as defined by the City of Norman Code in Section 22:429.1.2 as may be amended from time to time.
- h. Flowage easement: an easement purchased by the U.S. Department of Interior, Bureau of Reclamation, Norman Project, which grants to the United States and its assigns the perpetual right, privilege and easement to intermittently and completely seep, flood, flow and inundate, and the right to enter upon at any time for the purpose of making surveys, and investigations or for any other purpose incidental to the construction, operation, and maintenance of the Norman Reservoir Project and any feature thereof, any and all of the tracts or parcels of land lying below elevation 1064.5 sea level datum.
- i. Greenbelt Enhancement Statements (GES): a statement in a form set by the Greenbelt Commission to be included with all applications for a Land Use Plan amendment, change in zoning, platting or subdivision of land and submitted for consideration by the Commission that articulates how the goals and objectives of The Greenbelt System are met by the proposed development.
- j. The Greenbelt System: the following spaces, regardless of whether they are open to the public:

- 1) Norman's public and private parks, golf courses, cemeteries, school grounds, and nature preserves;
 - 2) A system of trails (both on and off road) intended to connect parks, open spaces, schools, retail, employment, and residential areas.
 - 3) Areas of land within the City Limits required to be open space by zoning; areas currently designated to be open space by the Norman 2025 Plan and subsequently adopted land use plans; areas in the Flood Plain; Lake Thunderbird, the Bureau of Reclamation (BOR) "take-line" and BOR flowage easements; any other areas of land which are designated by easement, by deed restriction, or otherwise required to remain free of structures; and areas designated as open space in the future.
- k. Greenway:
- 1) A green open space, such as a linear open space established along or on either side of a natural or cultural corridor, such as a riverfront, a stream valley, a ridgeline, a railroad right of way, a channel, a scenic road or other route; and/or
 - 2) A trail; and/or
 - 3) An open-space connector available to pedestrians intended to link parks, nature reserves, cultural features, historic sites, schools, residential or commercial areas with each other.
- l. Impervious Surface: one that does not permit penetration or passage of water, such as a roof or paved street or parking area.
- m. Open Space: An area of undeveloped land, including but not limited to land that is kept in or returned to its natural state to protect or preserve wildlife habitat, to protect, preserve or enhance wetlands, or to provide, preserve, or support view, vista or wildlife corridors; agricultural uses and natural features located on a site, such as, meadows, forested areas, steep slopes, floodplains, hazard areas, unique geological features, cultivated lands, ridgelines, unique vegetation and critical plant communities, stream corridors, wetlands and riparian areas, wildlife habitat and migration corridors, areas containing threatened or endangered species and archeological, historical and cultural resources.
- n. Riparian Buffers: the area between land and streams, rivers and shorelines that is managed to maintain the integrity of the waterway, to reduce pollution and to provide food, habitat, and thermal protection for fish and wildlife.
- o. Structure: anything constructed or erected, the use of which requires permanent location to the ground or attached to something having a permanent location on the ground, including, but without limiting the generality of the foregoing, advertising signs, billboards, and poster panels.
- p. Take Line: exterior boundary of the property acquired by the Bureau of Reclamation for construction of Lake Thunderbird. It is beyond the limits of Lake Thunderbird's normal pool elevation, but it does not always include the flood pool.

- q. Trail: any natural or landscaped course open to pedestrian or bicycle passage, including but not limited to sidewalks, but excluding roadways, streets, alleys and other passages primarily provided for general public motorized vehicular use. Types of trails include:
- 1) Community Wide (Regional or Arterial) Trails: trails between 10' and 12' in width that provide access from one part of the city to another.
 - 2) Neighborhood Trails: trails between 6' and 10' in width that mimic the system of local neighborhood streets and ultimately connect to larger arterial trails.
 - 3) Natural Trails: trails at least 8'-10' in width composed of compacted earth.
 - 4) Greenway Corridor Natural Trails: natural corridors that exist along some of the levee corridors of the City.
 - 5) Parkway Trails: trails between 6' and 8' in width that are constructed with durable materials, and usually include amenities such as decorative light fixtures, landscaping, and ground cover and varying surface treatments at intersections and crosswalks.
 - 6) Sidewalk Trails: sidewalks located alongside streets that constructed with concrete in accordance with City design criteria and designated as trails.
 - 7) Specialized Trails: water trails, equestrian trails, bikeways, or other trails dedicated to some specific use not otherwise listed herein.

§ 3. THAT, Section 4-2026 should be added to the Code of the City of Norman as follows:

Sec. 4-2026. Establishment of Greenbelt System. A Greenbelt System, as defined herein, is hereby established in the City of Norman.

§ 4. THAT, Section 4-2027 should be added to the Code of the City of Norman as follows:

Sec. 4-2027. Greenbelt Enhancement Statements.

- a) Submission. All applications for a Land Use Plan amendment, change in zoning, platting or subdivision of land in the City shall include a Greenbelt Enhancement Statement on a form designed by the Greenbelt Commission and provided to the applicant by the City Planning and Community Development Department.
- b) Content. Greenbelt Enhancement Statements shall articulate how the goals and objectives of Norman's Greenbelt System are met by the proposed development and its amenities. Applicants shall also provide supporting drawings, illustrations, etc. where appropriate.
- c) Review. The Greenbelt Enhancement Statement shall be reviewed by the Greenbelt Commission at one of its regularly scheduled meetings upon

due notice of its consideration to the applicant and prior to the Planning Commission's consideration of the application. Recommendations on applications shall be in writing and delivered to the applicant by mailing to the address provided on the application. Recommendations shall also be provided to the Planning Commission and to the City Council upon each respective body's consideration of the application. Recommendations by the Greenbelt Commission shall be in the form of recommendation for approval, recommendation for approval with changes, or recommendations for disapproval. Recommendations for approval with changes shall reference specific provisions of the guidelines and policies set forth herein.

§ 5. THAT, Section 4-2028 should be added to the Code of the City of Norman as follows:

Sec. 4-2028. Guidelines for Evaluating Greenbelt Enhancement Statements.
In performing its duties, the Greenbelt Commission shall take into account the policies and criteria listed below. Not all criteria or policies will be applicable or feasible for each application.

- a) Proposed additions to the Greenbelt System should be guided by the following principles:
 - i. The ultimate goal is to create an interconnected system of trails that allow multiple connections across all of Norman.
 - ii. The Greenbelt System should preserve valuable open space, natural habitat and key areas with existing vegetation.
 - iii. Trail segments should be designed so that they convey the physical and historical character of the City of Norman and relate to the neighborhoods through which the trail corridors pass.
 - iv. Greenway corridors should provide unique opportunities to learn about the history, culture, and accomplishments of Norman.
 - v. Trails should promote smooth walkable corridors that are open and visible at all times during the day.
 - vi. The Greenbelt System should contribute to enhancing the physical appearance of the City, whether through new pedestrian features, landscaping added to trail corridors, or simply by revealing natural areas not previously visible to the general public.
 - vii. The Greenbelt System should encourage the creation of public and private partnerships that help build the entire system more quickly.
- b) The public portions of the Greenbelt System should be open to the general public.
- c) Greenways should be established and provide connections to other existing and future components of the Greenbelt System.

- d) Existing easements (e.g. utility, pipeline, oil lease right of way, etc) may be used for Greenways where appropriate and where approved by the easement holder.
- e) Greenways connecting neighborhoods to each other and to industrial and commercial areas should be provided.
- f) In accordance with the Norman 2025 Land Use and Transportation Plan (pg. 12), residential areas should provide for an alternate route to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bicycling or walking.
- g) In urban residential subdivision developments, tree lined streets are recommended to be installed in accordance with Norman City Code Section 5-212(b)(23).
- h) The adverse impact of development on existing topography, drainage patterns and natural vegetation should be minimized.
- i) Lake Thunderbird is a major recreational destination and rural developments between urbanized Norman and Lake Thunderbird should provide non-motorized access to the lake area.
- j) Where landscaping is required by the City, it should be planted with local drought-resistant low maintenance plants, shrubs and trees, as defined by or otherwise approved by the City Forester
- k) There should be vegetative buffers where possible between neighborhoods and railway lines to enhance safety and reduce the effects of noise and air pollution.
- l) Permeable ground surfaces should be preserved to the extent possible.
- m) Ingress and egress to and from a development must be designed to permit safe use by non-motorized traffic in and out of the development and across the ingress and egress provisions of the development.
- n) Developments should use greenbelts to protect environmentally sensitive lands that are generally the least suitable for development, especially flood prone areas, and provide connectivity between the elements of the Greenbelt System.
- o) Fences abutting components of the Greenbelt System, and particularly those abutting open spaces, should be of designs and materials that minimize their visual impact to the extent such fences are allowable under Norman City Code Section 22-431.9 and in Appendix G of the International Residential Code for One- and Two-Family Dwellings, as adopted by Section 5-212(a)(2) of the Norman City Code and not in conflict with applicable national standards for utility facilities. Examples of acceptable open fences include such types as wrought iron, split rail, low picket fence with every other picket removed, and metal pickets.
- p) Water storage facilities should be designed and built with ecologically sound principles to insure healthy aquatic environment and soft treatments for shorelines, where soft treatment is reasonably possible. Soft treatment is vegetation, not rip rap or a concrete embankment. Water storage facilities should include a variety of aquatic vegetation that could provide habitat, food and cover for fish and aquatic life.

- q) Detention facilities should be integrated into the surrounding neighborhood as part of the Greenbelt System in as ecologically sound a method as possible.
- r) All storm water management shall be mindful of the potential for trail and green space preservation, enhancement and/or creation.
- s) Development shall strive to preserve the health and diversity of wildlife affected by development in natural drainage corridor areas.
- t) Development shall minimize the intrusions of noise, trash and other things into the Greenbelt System that would negatively affect visitors' and users' experience of any impacted components of the Greenbelt System.
- u) To the extent possible, development shall not impair the ability of riparian buffers from serving as corridors for wildlife movement.
- v) Riparian buffers should be incorporated into the Greenbelt System where feasible.
- w) Commercial developments should maximize pedestrian access and minimize vehicular traffic impacts throughout the development.
- x) Pavement should be minimized when possible by, among other things, using shared parking areas and/or permeable parking surfaces where feasible and allowed under the Zoning Ordinance of the City of Norman and the City Engineering Design Criteria.
- y) Cluster development should be utilized in areas not served with sanitary sewers as a means to develop the Greenbelt System.
- z) Structures, other than utility transmission poles or substations, should be located to maximize greenbelt and trail opportunities.
- aa) No motorized means of transportation should be allowed on trails except emergency vehicles, motorized equipment used for maintenance or preparation of the trail, and non-vehicular means of transport with electric motors designed for and used by individuals whose disability prevents them from accessing trails without the use of electric-powered transportation.

§ 6. THAT, Section 4-2029 shall be added to the Code of the City of Norman and read as follows:

Sec. 4-2029. Policy for Acquiring Greenways, Trails, and other Open Space. Easements accepted, purchased, or otherwise acquired by the City for the purposes of expanding or enhancing the Greenbelt System shall be acquired in accordance with the guidelines and policies contained herein and in the City of Norman Subdivision Regulations as may be amended from time to time.