

**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; 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 trail ways 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, and preliminary platting 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, green spaces promote beauty and feed the human spirit; and

WHEREAS, many green spaces in Norman protect and play a positive role in promoting 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 green 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, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Section 4-2022 of Chapter 4 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

**Sec. 4-2022. Authority.**

There is hereby created and established the Greenbelt Commission for the City of Norman. The Norman Greenbelt Commission shall consist of a total of nine (9) members, one (1) from each ward and one (1) at-large. The members shall be appointed by the Mayor, with approval of the City Council, based upon their interests or expertise regarding open-space preservation. All members shall serve without compensation and may be removed by the City Council as provided in the Code of Ordinances. City staff and administrative guidance shall be provided to the Greenbelt Commission by the Department of Planning and Community Development, with assistance from the City Forester and other Departments, as necessary. The implementation of the activities associated with this article shall be dependent upon the City Council's ability to provide funds on an annualized basis.

(1) *Term of office.* The term of the nine (9) persons to be appointed by the Mayor shall be three (3) years, except that the term of three (3) of the members appointed to the first board shall be for only one (1) year and the term of three (3) members of the first board shall be for two (2) years. In the event that a vacancy shall occur during the term of any member, the successor shall be appointed by the Mayor with approval by the City Council for the unexpired portion of the term.

(2) *Quorum and operation.*

(a) *Quorum.* At any meeting of the Greenbelt Commission, a quorum shall consist of five (5) of the appointed members. No action shall be taken in the absence of a quorum. Five (5) affirmative votes shall be required to pass any measure.

(b) *Meeting.* The Greenbelt Commission shall ~~meet at least once a month~~ as required in the furtherance of its duties set forth herein.

\* \* \*

§ 2. That Section 4-2023 of Chapter 4 of the Code of the City of Norman, Oklahoma, shall be amended to read 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 green spaces, greenways and trail way systems in the City of Norman, and pursuant thereto:

(1) Propose an ordinance ~~establishing~~ defining the Greenbelt System of green 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~~ defining a Greenbelt System and the requirement for a Greenbelt Enhancement Statement, all applications for a Land Use Plan amendment, a Norman Rural Certificate of Survey or preliminary 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; provided, however, that nothing herein shall require dedication of private property for public access.

\* \* \*

§ 3. That Section 4-2023A of Chapter 4 of the Code of the City of Norman, Oklahoma shall be added to read 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) Bikeway: a thoroughfare designated for bicycle travel by the Norman Bikeway Plan, as may be amended from time to time.
- b) Cluster Development: as defined by the City of Norman Code in Section 19-210, as may be amended from time to time.
- c) Floodplain: as defined by the City of Norman Code in Section 22:429.1.2 as may be amended from time to time.
- d) 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.

- e) Greenbelt Enhancement Statements (GES): a statement in a form provided to the applicant by the City Planning and Community Development Department that is to be included with all applications for a Land Use Plan amendment, a Norman Rural Certificate of Survey or preliminary platting 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.
- f) The Greenbelt System: includes the following spaces, regardless of whether they are open to the public:
1. A system of trails (both on and off road) intended to connect parks, green spaces, schools, retail, employment, and residential areas.
  2. Areas of land within the City Limits required to be open space by zoning; areas currently designated for open space, park, floodplain, and institutional use by the Norman 2025 Plan and subsequently adopted land use plans; 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 green space in the future
- g) Green Space: any land area designated as open space by Norman’s Comprehensive Land Use Plan; land determined to be open space or green space on an approved site development plan; or any land area in which the preservation in its present use would conserve and enhance natural or scenic resource, protect streams or water supply, promote conservation of soils, wetlands or marshlands, enhance the value to the public of abutting or neighboring parks, forest, wildlife preserves, nature reservations, sanctuaries or other open space or green space, enhance recreation opportunities, including parks, plazas and narrow corridors or pathways for walking or bicycling even though surrounded by developed areas, preserve visual quality along highway, road, and street corridors or scenic vistas, or retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority.
- h) 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.
- i) Impervious Surface: one that does not permit penetration or passage of water, such as a roof or paved street or parking area.
- j) Riparian Buffers: the area between developed 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.

- k) Structure: as defined by the City of Norman Code in Section 22:450 of the Zoning Ordinance, as may be amended from time to time.
- l) Take Line: exterior boundary of the property acquired by the Bureau of Reclamation for construction of Lake Thunderbird.
- m) 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 are constructed 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.

§ 4. That Section 4-2026 of Chapter 4 of the Code of the City of Norman, Oklahoma shall be added to read as follows:

**Sec. 4-2026. Specific Principles, Purposes and Goals of the Greenbelt System.** A Greenbelt System, as defined herein, serves the following principles, purposes and goals of the City of Norman.

- (a) Proposed additions to the Greenbelt System should be guided by the following principles:
  - 1. The ultimate goal is to create an interconnected system of trails that allow multiple connections across all of Norman.
  - 2. The Greenbelt System should preserve valuable green space, natural habitat and key areas with existing vegetation.
  - 3. 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.
  - 4. Greenway corridors should provide unique opportunities to learn about the history, culture, and accomplishments of Norman.

5. Trails should promote smooth walkable corridors that are open and visible.
  6. 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.
  7. The Greenbelt System should encourage the creation of public and private partnerships that help build the entire system more quickly.
  8. Greenbelts should protect environmentally sensitive lands that are generally the least suitable for development, especially flood prone areas and riparian corridors, and provide connectivity between the elements of the Greenbelt System.
- (b) The use of lot clustering should be encouraged in areas not served with sanitary sewers as a means to develop the greenbelt system.
- (c) The greenbelt system should be used to link together existing recreation areas.
- (d) Multi-purpose greenbelt corridors should be created that:
1. Create a unique greenway character for Norman;
  2. Protect the environmentally sensitive areas of the City and serves as a wildlife habitat;
  3. Serve as a stormwater management resource for urban run-off and regional detention needs;
  4. Provide recreation opportunities for bicycling, walking, and jogging, as well as an alternate route to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bicycling or walking;
  5. Preserve agriculturally significant lands; and
  6. Provide suitable locations for sanitary sewer easements and facilities.
- (e) Greenbelts should be used to provide green space areas adjacent to highways and major streets for sound buffer zones and protection from incompatible land uses.
- (f) The Greenbelt System continues to improve a natural landscape planting and maintenance program for City-owned properties and rights-of-way of major streets and highways.

§ 5. That Section 4-2027 of Chapter 4 of the Code of the City of Norman, Oklahoma shall be added to read as follows:

**Sec. 4-2027. Greenbelt Enhancement Statements.**

- (a) Submission. All applications for a Land Use Plan amendment, a Norman Rural Certificate of Survey or preliminary platting of land in the City shall include a Greenbelt Enhancement Statement which shall be provided to the applicant by the City Planning and Community Development Department.
- (b) Content. Greenbelt Enhancement Statements shall articulate how the principles, purposes and goals of this ordinance are met by the proposed development and its amenities. Applicants shall also provide supporting drawings, illustrations, etc. where appropriate.
- (c) Review.
1. Staff Review: The Planning Director or designee shall perform an initial review of the Greenbelt Enhancement Statement. If the application indicates that an opportunity for greenbelt development does not exist, or the details of the application support such a finding, then the Planning Director or designee may issue a finding of No Greenbelt Opportunity. Such a finding shall be based on factors unique to the subject parcel, such as when the application involves redevelopment of an already fully developed site, rezoning of property that does not involve new construction, or the existing plat requirements are such that development options are restricted. If a Finding of No Greenbelt Opportunity is made, then the application shall bypass consideration by the Greenbelt Commission and shall proceed to Planning Commission as provided in the City code. If a request for a Finding of No Greenbelt Opportunity is denied, a completed Greenbelt Enhancement Statement shall be forwarded to the Greenbelt Commission for consideration as set forth below.
  2. Initial Review by Greenbelt Commission:
    - a. Findings of No Greenbelt Opportunity. If such a finding is made by the Planning Director or designee, the Commission shall be notified of such finding at its next regular meeting.
    - b. Other Applications. All other applications for which a Greenbelt Enhancement Statement is completed shall be considered by the Greenbelt Commission during an initial review that shall occur after application is made for a Pre-Development Meeting but prior to when application is made for Planning Commission consideration. The applicant will not be required to attend these meetings but will receive any comments about the application from the Greenbelt Commission. The comments from the Commission's initial review shall be forwarded to the Planning Commission and/or City Council with the application.

3. Official Review by Greenbelt Commission. Should it be determined that a greenbelt opportunity exists for a particular application and upon application for Planning Commission consideration, 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. Comments about applications shall be in writing and delivered to the applicant with the Planning Commission packet. Those comments shall also be provided to the Planning Commission and to the City Council upon each respective body's consideration of the application. The comments from the Greenbelt Commission will reflect how the proposed development does or does not meet the goals of the Greenbelt system through reference to specific principles, purposes and goals set forth herein.

§ 6. That Section 4-2028 of Chapter 4 of the Code of the City of Norman, Oklahoma shall be added to read as follows:

**Sec. 4-2028. Guidelines for Evaluating Greenbelt Enhancement Statements.**

In performing its duties, the Greenbelt Commission shall take into account the considerations listed below. Not all considerations will be applicable or feasible for each application.

- (a) Portions of the Greenbelt System are accessible to the general public.
- (b) Greenways are established and provide connections to other existing and future components of the Greenbelt System.
- (c) Existing easements (e.g. utility, pipeline, oil lease right of way, etc) may be used for Greenways where appropriate and where expressly approved by the easement grantor and grantee.
- (d) Greenways connect neighborhoods to each other and to industrial and commercial areas.
- (e) Greenways provide alternative routes to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bicycling or walking.
- (f) Adverse impacts on existing topography, drainage patterns and natural vegetation are minimized.
- (g) Developments between urbanized Norman and Lake Thunderbird include pedestrian and bike connectivity to adjacent parcels to allow for future connections to Lake Thunderbird.
- (h) Landscaping required by the City has been planted in conformance with Norman Zoning regulations, including with local drought-resistant low maintenance plants, shrubs and trees.
- (i) Vegetative buffers between neighborhoods and railway lines have been provided to enhance safety and reduce the effects of noise and air pollution.
- (j) Permeable ground surfaces have been preserved to the extent possible.

- (k) Ingress and egress to and from a development is 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.
- (l) Fences abutting components of the Greenbelt System, and particularly those abutting green spaces, are of designs and materials that minimize their visual impact to the extent such fences are allowable under 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.
- (m) Water retention and detention storage facilities are designed and built with bioengineering materials and principles.
- (n) Detention facilities are integrated into the surrounding neighborhood as part of the Greenbelt System in as ecologically sound a method as possible.
- (o) All storm water management considers the potential for trail and green space preservation, enhancement and/or creation.
- (p) The development layout is designed to preserve the health and diversity of wildlife affected by development in natural drainage corridor areas.
- (q) The development layout is designed to 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.
- (r) To the extent possible, the development layout, as designed, does not impair the ability of riparian buffers from serving as corridors for wildlife movement.
- (s) Riparian buffers are incorporated into the Greenbelt System.
- (t) The commercial developments have provided for pedestrian access.
- (u) Pavement is 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.
- (v) Cluster development has been utilized in areas not served with sanitary sewers as a means to develop the Greenbelt System.
- (w) Structures, other than utility transmission poles or substations, were located to maximize greenbelt and trail opportunities.

§ 7. That Section 4-2029 of Chapter 4 of the Code of the City of Norman, Oklahoma shall be added to read as follows:

**Sec. 4-2029. Policy for Acquiring Greenways, Trails, and other Green 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.

§ 8. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remainder of this ordinance or any part thereof.

ADOPTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2010.

NOT ADOPTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2010.

\_\_\_\_\_  
Cindy Rosenthal, Mayor

\_\_\_\_\_  
Cindy Rosenthal, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Hall, City Clerk