

ARTICLE XXI GREENBELT COMMISSION

Sec. 4-2021. Purpose.

It is the purpose of this article to promote and protect the public health, safety and general welfare by creating a mechanism for providing a Greenbelt System, which will include preserved open spaces, protected natural areas and greenways/trails in a system of land parcels that together will work to help maintain and preserve the beauty and livability of the City.

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 as required in the furtherance of its duties set forth herein.
 - (c) *Commission officer.* The Greenbelt Commission shall elect a chairperson from its members and shall create and fill such other offices as deemed necessary. The term of the Chairperson shall be one (1) year with eligibility for reelection for no more than two (2) consecutive terms.

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 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 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 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.
- (2) Propose policy guidelines to determine the suitability of parcels for the Greenbelt System;
- (3) Identify possible parcels for preservation and/or acquisition and incorporation into the Greenbelt System;
- (4) Identify possible outside funding sources and matching funds for acquisition of development rights and preservation and/or acquisitions of parcels for the Greenbelt System.
- (5) Make recommendations to the Norman City Council regarding policies and other related matters;
- (6) Provide advocacy for the Greenbelt System in the city's planning process by reviewing Greenbelt Enhancement Statements and advising and making recommendations to the City Council thereon;
- (7) Solicit public opinion in planning for the Greenbelt System and facilitate citizen participation in the planning process so that the public's interest in the Greenbelt System is expressed;
- (8) Develop policies regarding security and safety in the Greenbelt System;
- (9) Develop policies and guidelines for use of the land and easements within the Greenbelt System;
- (10) Provide copies of the minutes of its meetings to the office of the City Clerk within ten (10) days from the date of their approval; and

(11) Provide an annual report of the Commission's acts and affairs.

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) 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.
- (d) Floodplain: as defined by the City of Norman Code in Section 22:429.1.2 as may be amended from time to time.
- (e) 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.
- (f) Greenbelt Enhancement Statement (GES): a statement on 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 principles, purposes, and goals of The Greenbelt System are met by the proposed development.
- (g) 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.

- (h) 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.
- (i) 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.
- (j) Impervious Surface: one that does not permit penetration or passage of water, such as a roof or paved street or parking area.
- (k) 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.
- (l) 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.
- (m) Take Line: exterior boundary of the property acquired by the Bureau of Reclamation for construction of Lake Thunderbird.
- (n) 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. 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.
 5. Sidewalk Trails: sidewalks located alongside streets that are constructed in accordance with City design criteria and designated as trails.

6. Specialized Trails: water trails, equestrian trails, bikeways, or other trails dedicated to some specific use not otherwise listed herein.

Sec. 4-2024. Expenditure of city funds, compensation, reimbursement of expenses.

(a) The Greenbelt Commission shall neither authorize nor incur the expenditure of any City funds for any purpose except as may be authorized and appropriated therefor by the City Council.

(b) Members of the Greenbelt Commission are entitled to reimbursement for their actual and necessary expenses, so long as those expenses were incurred in performance of their duty as Commission members.

Sec. 4-2025. Review by the City Council.

The City Council shall have the right to review all acts and recommendations of the Greenbelt Commission.

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 as a means to develop the greenbelt system.

(c) The greenbelt system should be used to link together existing recreation areas.

(d) Multi-purpose greenways should be created that:

1. Create a unique greenway character for Norman;
2. Protect the environmentally sensitive areas of the City and serve 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 thru conservation easements or other means; 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 should continue to improve a natural landscape planting and maintenance program for City-owned properties and rights-of-way of major streets and highways.

Sec. 4-2027. Greenbelt Enhancement Statements.

(a) Submission. All applications for a Pre-Development meeting regarding a proposed Land Use Plan amendment, a Norman Rural Certificate of Survey or preliminary platting of land in the City shall include a Greenbelt Enhancement Statement.

(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, and other documents designed to assist the Greenbelt Commission in determining how the goals, principles, and policies herein are met by the development.

(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 and 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 be forwarded to the Greenbelt Commission for

consideration as a consent docket item as outlined in subsection (2)(a) below. 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, then the application shall be forwarded to the Greenbelt Commission for consideration as a consent docket item to allow the Commission to determine whether it agrees with Staff's finding of No Greenbelt Opportunity. If a Commission member disagrees with Staff's finding of No Greenbelt Opportunity, said member may request that the item be removed from the consent docket and the item will be reviewed in the same manner as other applications. If the Commission agrees with Staff's finding of No Greenbelt Opportunity, the subject application will bypass further review by the Commission and be forwarded on to the Planning Commission as provided for in the City Code.
 - b. Other Applications. All other applications for which a Greenbelt Enhancement Statement is completed shall be considered by the Greenbelt Commission for an initial review when application is made for a Pre-Development meeting and upon due notice of its consideration to the applicant. Comments about applications shall be in writing and delivered to the applicant. 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.
3. Subsequent Review by Greenbelt Commission. Should it be determined that a greenbelt opportunity exists for a particular application and if the application has substantially changed (as determined by Planning and Community Development staff) since it was originally considered by the Greenbelt Commission, the Greenbelt Enhancement Statement shall be reviewed by the Greenbelt Commission at one of its regularly scheduled meetings after application is made to the Planning Commission and 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.

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 in accordance with bioengineering principles and built with bioengineering materials.
- (n) Detention facilities are integrated into the surrounding neighborhood as part of the Greenbelt System in as ecologically sound a method as possible.
- (o) Storm water management design 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.

Greenbelt Commission Code Provisions 10-18-10

- (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 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.

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.