

**CITY OF NORMAN, OKLAHOMA**

**CITY COUNCIL COMMUNITY PLANNING AND  
TRANSPORTATION COMMITTEE AGENDA**

**Municipal Building Conference Room  
201 West Gray**

**Thursday, August 24, 2017**

**4:30 P.M.**

- 1. CLEVELAND AREA RAPID TRANSIT (CART) RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTH OF JUNE AND JULY 2017.**
- 2. DISCUSSION REGARDING POSSIBLE AMENDMENTS TO THE ZONING ORDINANCE TO ADD SIMPLE PLANNED UNIT DEVELOPMENT (SPUD) AS A NEW ZONING DISTRICT AND WIND ENERGY CONSERVATION SYSTEMS (WECS) AND SMALL COMMUNICATION TOWERS AS NEW ZONING USES IN VARIOUS ZONING DISTRICTS.**
- 3. PRIORITIZATION OF COMMITTEE TOPICS FOR 2017-2018.**
- 4. DISCUSSION REGARDING EXPANDING SPECIAL USES ALLOWED IN A-2, RURAL AGRICULTURAL DISTRICT, FOR WEDDING VENUES, RURAL DEVELOPMENT, AND AGRITOURISM. (IF TIME PERMITS)**
- 5. MISCELLANEOUS PUBLIC COMMENTS.**

**ITEM 1**  
**CART RIDERSHIP REPORTS**

## **Community Planning & Transportation Committee Meeting, July 27<sup>th</sup>, 2017**

### **CART Monthly Report for June 2017**

#### **CART – Ridership Report Summary**

- CART transported 38,645 passengers in June – a 1% increase over June 2016. June's daily average ridership was 1,551, an increase of 7 or 0%.
- Fiscal year 17 ridership (July to June) is 1,228,265– a decrease of 1% over the same period last year.
- For the one-week manual count in June, there were 240 riders who traveled with bicycles and 160 with wheelchairs. Route 10-Main St carried the most passengers with bicycles (93) and the most passengers with wheelchairs (53).

#### **CARTaccess – Ridership Report Summary**

- CARTaccess transported 2,997 riders in June – an increase of 3% or 88 over June 2016. Average daily ridership was 115, an increase of 3% or 3. Primary Zone ridership increased by 2% or 41 in June; Secondary Zone ridership increased by 15% or 47.
- For fiscal year 17 ridership (July to June), CARTaccess ridership is 37,766 – an increase of 7% or 2,463. Primary Zone ridership has increased by 5% or 1,570 in FY17; Secondary Zone ridership has increased by 22% or 893 in FY17. Secondary Zone ridership comprises 13% of all CARTaccess trip for FY17.

#### **CART Activities**

- CART began accepting applications for the FY18 CDBG Bus Pass Program on July 1. The CDBG Bus Pass Program provides fare assistance for low to moderate income passengers. Applicants are required to complete the application online. If applicants are not able to complete it at home, CART has worked to ensure that applicants can go to a social service agency, the Public Library, or the CART office to complete an application.
- The CART Transportation Advisory Committee (CTAC) met on July 10. Members met at the CART office to discuss various topics that included travel training at stop 107-Brooks Street Transfer Station and riding route 21-Alameda/East Norman at the May meeting. In addition, Shawn O'Leary, City of Norman Public Works Director, gave an update on the ADA Self-Evaluation/Transition Plan. The next meeting will be held at the CART office on September 11.

#### **Bus Stop Improvements**

- CART, with Tyler Media, has completed the relocation of stop 24-24<sup>th</sup> SW/Lindsey. This stop was relocated approximately 500 feet north of the intersection of 24<sup>th</sup> Avenue SW and Linsey Street due to safety concerns for motorists and passengers.

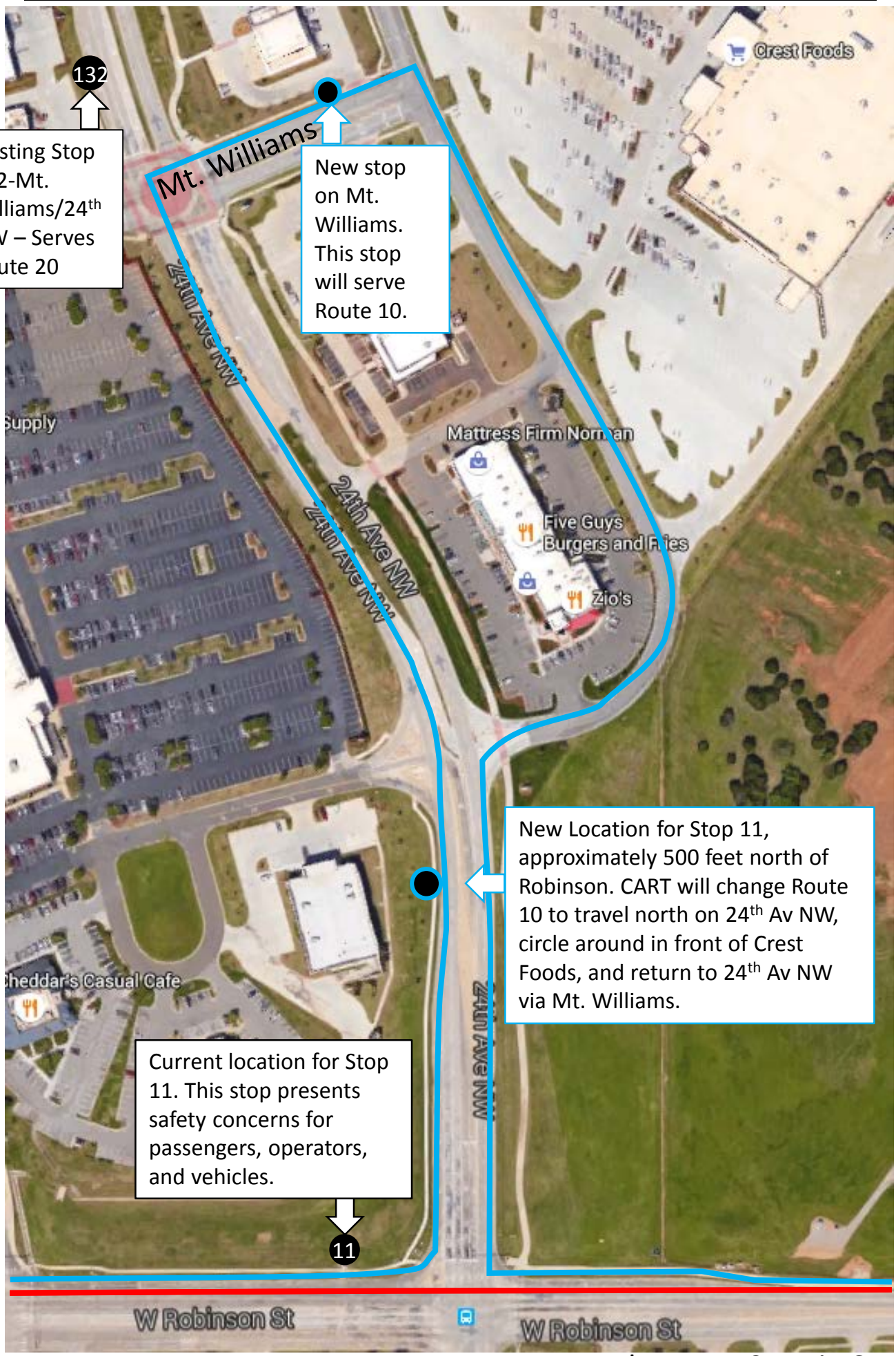
#### **CART Detours/Construction**

- Route 10-Main Street currently has one part of its route under construction: the I-35/Lindsey Street overpass. The overpass is expected to be complete before the fall semester starts. At that time the route 10-Main St will go back on route, crossing the Lindsey Street overpass instead of proceeding south to Highway 9.
- Route 12-Lindsey West operators and passengers are still navigating the street widening project on West Lindsey Street. CART staff are excited to see the bus stop bays begin to take shape along this corridor.

#### **CART Route Change**

- Stop 11-Robinson/24<sup>th</sup> NW for Route 10-Main St is currently located where safety for CART vehicles and other motorists is concerning. As shown in the attached, route 10-Main St currently heads west on Robinson Street, crosses the intersection and pulls over to the turn lane to pick up passengers. This turn lane is highly used by other motorists when they are leaving southbound from the University North Park area. By moving stop 11 approximately 500 feet north on 24<sup>th</sup> Avenue NW, and changing route 10's path slightly, the safety hazard is minimized and CART is able to offer passengers closer stops to the University North Park businesses.

# Changes to Stop 11-Robinson/24<sup>th</sup> NW and Route 10-Main St

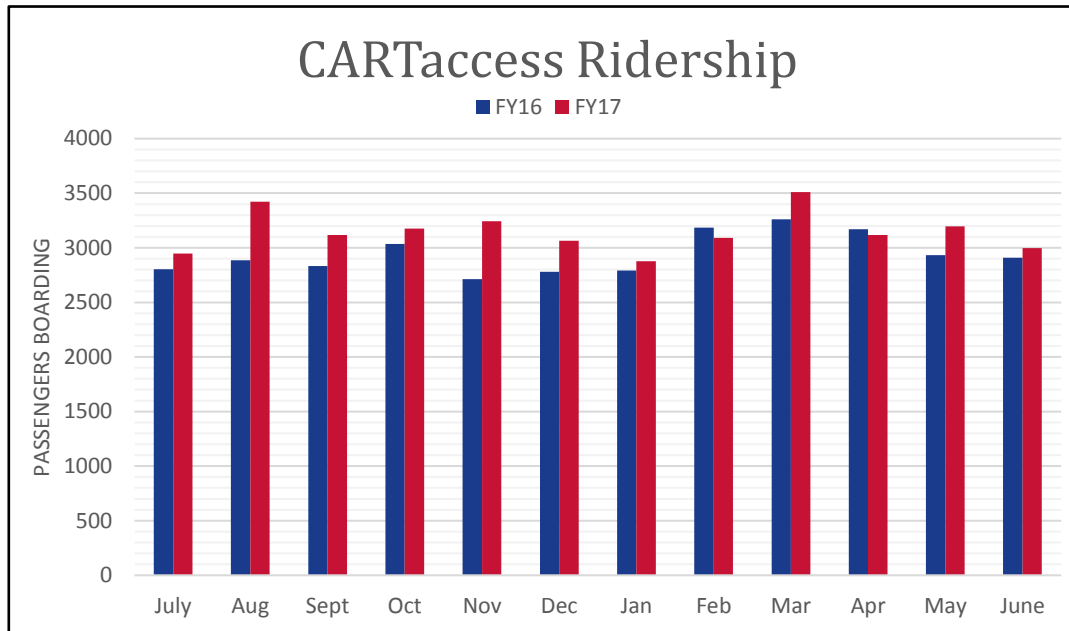


New Location for Stop 11, approximately 500 feet north of Robinson. CART will change Route 10 to travel north on 24<sup>th</sup> Av NW, circle around in front of Crest Foods, and return to 24<sup>th</sup> Av NW via Mt. Williams.

Current location for Stop 11. This stop presents safety concerns for passengers, operators, and vehicles.

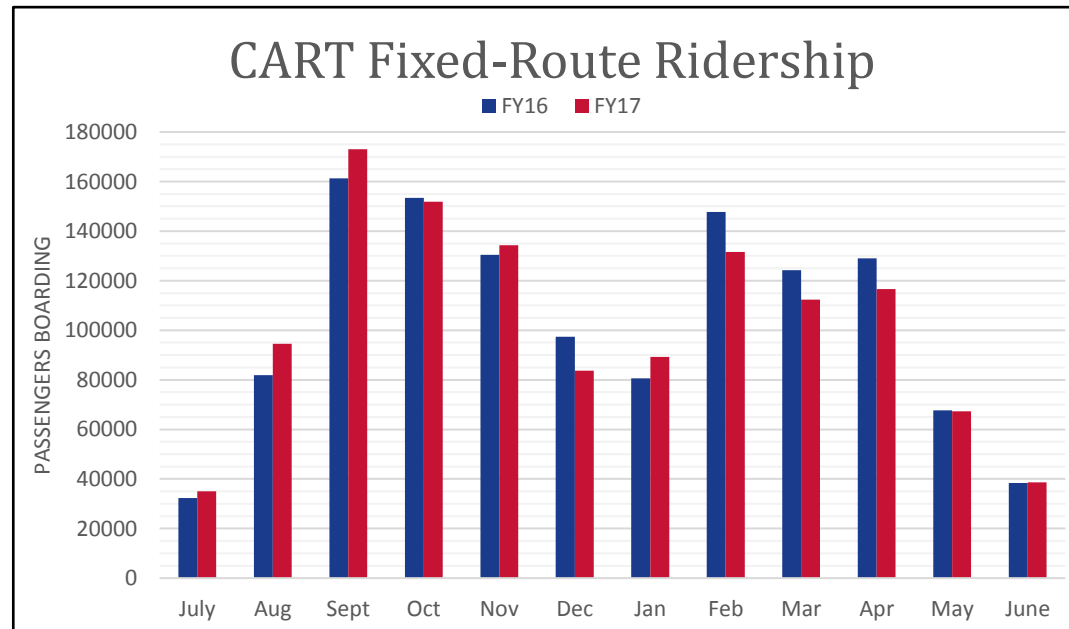
# CART Ridership Summary

## City of Norman Community Planning & Transportation Committee



### CART Access Ridership by Month

	FY16	FY17	Change
July	2,805	2,948	5%
Aug	2,885	3,422	19%
Sept	2,832	3,118	10%
Oct	3,036	3,177	5%
Nov	2,714	3,244	20%
Dec	2,779	3,065	10%
Jan	2,793	2,878	3%
Feb	3,186	3,092	-3%
Mar	3,261	3,511	8%
Apr	3,169	3,118	-2%
May	2,934	3,196	9%
June	2,909	2,997	3%
<b>FY Total</b>	<b>35,303</b>	<b>37,766</b>	<b>7%</b>



### Fixed-Route Ridership by Month

	FY16	FY17	Change
July	32,324	35,072	9%
Aug	81,922	94,507	15%
Sept	161,337	173,011	7%
Oct	153,446	151,858	-1%
Nov	130,388	134,347	3%
Dec	97,383	83,667	-14%
Jan	80,577	89,238	11%
Feb	147,725	131,650	-11%
Mar	124,175	112,329	-10%
Apr	129,037	116,616	-10%
May	67,714	67,325	-1%
June	38,436	38,645	1%
<b>FY Total</b>	<b>1,244,464</b>	<b>1,228,265</b>	<b>-1%</b>

FY16: July 1, 2015 - June 30, 2016

FY17: July 1, 2016 - June 30, 2017

## **Community Planning & Transportation Committee Meeting, August 24<sup>th</sup>, 2017**

### **CART Monthly Report for July 2017**

#### **CART – Ridership Report Summary**

- CART transported 31,500 passengers in July – a 10% decrease over July 2016. July's daily average ridership was 1,324, a decrease of 10% or 152.
- For July 2017, CART recorded 445 riders who traveled with bicycles and 319 with wheelchairs. Route 10-Main St carried the most passengers with bicycles (159) and the most passengers with wheelchairs (89). July 2017 is the first month that CART is beginning to report bicycle and wheelchair counts by the month. In the past the count was performed manually one week per month.

#### **CARTaccess – Ridership Report Summary**

- CARTaccess transported 2,714 riders in July – a decrease of 8% or 234 over July 2016. Average daily ridership was 109, a decrease of 8% or 9. Primary Zone ridership decreased by 10% or 256 in July; Secondary Zone ridership increased by 7% or 22.

#### **CART Activities**

- CART began accepting applications for the FY18 CDBG Bus Pass Program on July 1. The CDBG Bus Pass Program provides fare assistance for low to moderate income passengers. Applicants are required to complete the application online. If applicants are not able to complete it at home, CART has worked to ensure that applicants can go to a social service agency, the Public Library, or the CART office to complete an application.
- The CART Transportation Advisory Committee (CTAC) met on July 10. Members met at the CART office to discuss various topics that included travel training at stop 107-Brooks Street Transfer Station and riding route 21-Alameda/East Norman at the May meeting. In addition, Shawn O'Leary, City of Norman Public Works Director, gave an update on the ADA Self-Evaluation/Transition Plan. The next meeting will be held at the CART office on September 11.
- CART staff attended ODOT's DBE Transit and Airport Outreach event in OKC on July 14. CART is looking for DBE's that are certified with the state to sell bus parts for CART's fleet.
- CART staff are gearing up for the beginning of the OU semester, which includes the Move-In days, orientations for new students, and the start of regular service.

#### **Bus Stop Improvements**

- CART, with Tyler Media, is preparing a permit application for stop 11-Robinson/24<sup>th</sup> NW. Stop 11 is being relocated to the west side of 24<sup>th</sup> NW, just north of Robinson. The current location is a safety hazard for CART vehicles, passengers, and other motorists. For more information, please see the attached graphic.

#### **CART Detours/Construction**

- Route 10-Main Street returned on route, crossing the Lindsey Street overpass instead of proceeding south to Highway 9, on August 1.
- Route 12-Lindsey West operators and passengers are still navigating the street widening project on West Lindsey Street.

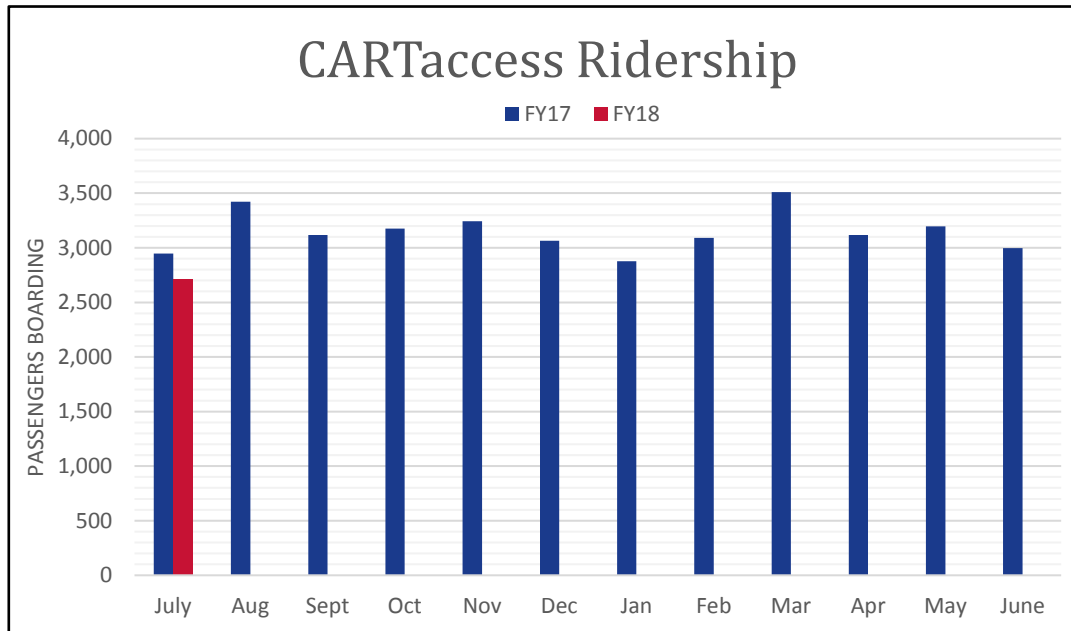
#### **CART Grant Activity**

- CART is working with FTA to get its FY7 funding approved for use in FY18.

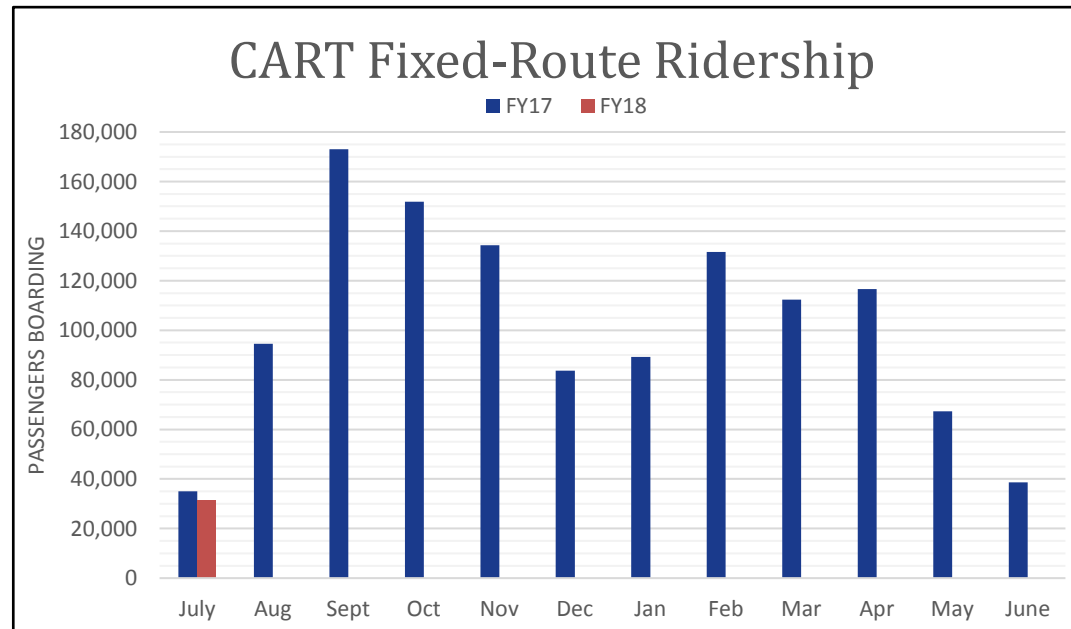


# CART Ridership Summary

## City of Norman Community Planning & Transportation Committee



CART Access Ridership by Month			
	FY17	FY18	Change
July	2,948	2,714	-8%
Aug	3,422		
Sept	3,118		
Oct	3,177		
Nov	3,244		
Dec	3,065		
Jan	2,878		
Feb	3,092		
Mar	3,511		
Apr	3,118		
May	3,196		
June	2,997		
<b>Aug Total</b>	<b>2,948</b>	<b>2,714</b>	<b>-8%</b>
<b>FY17 Total</b>	<b>37,766</b>		



Fixed-Route Ridership by Month			
	FY17	FY18	Change
July	35,072	31,500	-10%
Aug	94,507		-100%
Sept	173,011		-100%
Oct	151,858		-100%
Nov	134,347		-100%
Dec	83,667		-100%
Jan	89,238		-100%
Feb	131,650		-100%
Mar	112,329		-100%
Apr	116,616		-100%
May	67,325		-100%
June	38,645		-100%
<b>Aug Total</b>	<b>35,072</b>	<b>31,500</b>	<b>-10%</b>
<b>FY17 Total</b>	<b>1,228,265</b>		

FY18: July 1, 2017 - June 30, 2018

FY17: July 1, 2016 - June 30, 2017

**ITEM 2**  
**ZONING AMENDMENTS**





# office memorandum

**TO:** Community Planning and Transportation Committee

**FROM:** Susan Connors, AICP, Director, Planning and Community Development

**DATE:** August 18, 2017

**RE:** Zoning Ordinance Amendments

In the last year staff has had several inquiries from business owners to allow uses that are currently prohibited in the Zoning Code in certain areas or in the whole City. Staff has been researching other cities on how these uses are regulated and is now presenting this information to the Community Planning and Transportation Committee for discussion and future action. In addition the City Council has requested that staff research a potential change in the Planned Unit Development (PUD) Ordinance to allow a different method of approving PUD's less than two acres in size.

The topics that are included for discussion are Simple Planned Unit Development (SPUD), Small Wind Turbines and Small Communication Towers.

### **Simple Planned Unit Development (SPUD)**

Over the last few years there has been discussion about bringing forward an option to the PUD, Planned Unit Development Ordinance for areas smaller in size than the typical 5- to 20-acre proposals. In addition, there has been concern over the "2 acres" language currently outlined in the Zoning Ordinance for a PUD.

**Exhibit A** is a proposal regarding a Simple Planned Unit Development (SPUD) zoning district for sites that are less than five (5) acres. Staff researched several other municipalities and there is a trend to establish a Planned Unit Development, PUD which is five (5) acres or larger and a secondary regulatory method to allow smaller developments under a SPUD, which is less than five (5) acres in area.

Also included as **Exhibit AA** is the proposal to amend the two (2) acre language in the existing PUD zoning district and change it to five (5) acres or larger. And finally, with the work on the new Comprehensive Plan, PlanNorman, staff proposes deleting the reference to the NORMAN 2025 Land Use and Transportation Plan of the City of Norman, Oklahoma from the PUD language.

The SPUD will be the third type of PUD available for development projects. The original PUD regulations have been in the zoning code since 1991. The Center City Planned Unit Development (CCPUD) was approved this year as part of the approval of the Center City Form Based Code rezoning. Each set of PUD regulations are used in separate situations. They each apply in different circumstances and are not intended or allowed to be used together.

### **Wind Energy Conservation Systems (WECS)**

A wind energy conversion system (WECS) is a machine that, powered by the energy of the wind, generates mechanical energy that can be used to directly power machinery or to power an electrical generator for making electricity. The term can thus refer to windmills, windpumps as well as wind turbines.

Small wind turbines raise many of the same issues as midsize wind energy conversion systems and wind farms. However, with their small size and their use accessory to a residence, they are more readily accepted than their larger counterparts. It is important to protect the property owner and neighbors from the potential hazards of a tall structure in a residential setting.

The intent of this zoning ordinance change would be to allow small wind turbines in the RE, A-1 and A-2 zoning districts where the acreage will allow for small towers that would not be intrusive on neighbors. This use could be allowed by right or with a Special Use Permit. The proposed regulations are attached as **Exhibit B**.

### **Small Communication Towers**

Staff received an anonymous complaint regarding "internet towers" that were installed by a local internet provider, Sooner Wireless, without benefit of permit. Code Compliance visited the site, noticed the property owner and the owner of the company submitted a permit application for the tower located on 120<sup>th</sup> Ave. N.E. Currently, the Zoning Ordinance does not address the use of internet towers, only Commercial Communication Towers (i.e. cellular phone communication towers) and Television and Radio Broadcast Towers.

These small internet towers provide an important service to the more rural areas of East Norman whose residents may not have any other access to internet service. For that reason, staff suggests that Council consider amending the Zoning Ordinance to allow for the internet towers to be an allowed use in the rural residential areas. **Exhibit C** is the proposed Zoning Ordinance amendment to allow these towers in the RE, A-1 and A-2, commercial and industrial zoning districts.

This information is provided to the Committee for discussion. Staff will be available to address questions.

## EXHIBIT A

### **Simplified Planned Unit Development (SPUD)**

General Provisions: The Simplified Planned Unit Development referred to as SPUD, is a special zoning district that provides an alternate approach to the conventional land use controls and to a PUD, Planned Unit Development to maximize the unique physical features of a particular site and produce unique, creative, progressive, or quality land developments.

The SPUD may be used for particular tracts or parcels of land that are to be developed, according to a SPUD Narrative and a Development Plan Map and contains less than five (5) acres.

The SPUD is subject to review procedures by Planning Commission and adoption by City Council.

### **Intent and Purpose**

Innovative Development – Encourage efficient, innovative use of land in the placement and/or clustering of buildings in a development and protect the health, safety and welfare of the community.

Efficient Use of Land – Contribute to the revitalization and/or redevelopment of areas where decline of any type has occurred. Promote infill development that is compatible and harmonious with adjacent uses and would otherwise not be an area that could physically be redeveloped under conventional zoning.

Maintain consistency with the City's comprehensive plan, the Zoning Ordinance, and other applicable plans, policies, standards and regulations on record.

### **Simplified Planned Unit Development Authorized**

A SPUD may be authorized by an amendment to the official Zoning District Map after public hearings by Planning Commission and City Council.

Location and Uses – A SPUD shall be considered a special zoning district, and it may be authorized for “any” of the conventional zoning district uses as permitted in the Zoning Ordinance, and adopted by City Council.

### **Simplified Planned Unit Development Master Plan**

The basis for review and approval of SPUD application shall be the SPUD Narrative and SPUD Development Plan Map, which shall be adopted as a part of the ordinance or rezoning in conformance with the requirements described in the regulations.

The SPUD Master Plan shall consist of two (2) elements:

*The design statement, SPUD Narrative, and*

*The Development Plan Map*

The SPUD Narrative and Development Plan Map establishes residential densities, if appropriate, as well as the amount, type and general location of all land uses; the SPUD Narrative and Development Plan Map shall serve at the basis for review and approval of all subdivision plats and building permits within the SPUD.

### **Effect of Simplified Planned Unit Development Approval**

Approval of a zone change to a SPUD adopts the Master Plan prepared by the applicant and reviewed as a part of the application. The SPUD classification replaces a previous zoning district classification of a parcel.

The SPUD establishes new and specific requirements for the amount and type of land use, residential densities, if appropriate, development regulations and location of specific elements of the development, such as open space and screening.

### **Criteria for Simplified Planned Unit Development Review and Approval**

The applicant should be prepared to provide amenities and services that may not be required or possible under the current conventional zoning. Review and approval of a SPUD is therefore a process of negotiation between the city government and the applicant to achieve the intent and purpose of the regulations of the comprehensive plan of record while maintaining/establishing compatible uses abutting one another.

The following factors should be specifically included as review criteria for the evaluation of a SPUD application. Other factors not listed herein may also be considered in the review process in order to respond to specific design and land use proposals.

### **Design Standards**

The proposed SPUD shall be designed to provide for the unified development of the area in accordance with the spirit and purpose of the adopted comprehensive plan of record and the land uses and zoning districts adjacent to said proposal.

Density, land use, and intensity will be based on the SPUD Narrative and Development Plan Map and be in conformance with the comprehensive plan of record.

Location and type of housing shall be established in a general pattern and shown on the Development Plan Map and outlined in the Narrative as supporting documentation.

Minimum design and construction standards for streets and alleys shall meet the requirements adopted in the Subdivision Regulations or other policies on record.

### **SPUD Design Statement**

The Development Plan shall include the following: north arrow, all property lines, all adjacent street and alley rights-of-way, show the centerline of each and any street names, the location of driveway approaches both on-site and across the street.

- Identify the uses to be allowed in the district
- Maximum height of all buildings
- Maximum number of buildings
- Designating on the Development Plan the front, side and rear of the lot(s), with setbacks (if any)
- Description of the sight-proof screening requirements
- Description of all outdoor/exterior lighting to be regulated on site
- Master sign plan for the site is required
- The applicant must show how drainage/storm water management methods will be addressed so as to not impact adjacent property owners
- A description of the architecture of all buildings including exterior building materials
- A statement indicating the percentage of open space for the site
- A detail of the parking area must be shown on the Master Site Development Plan

### **General Design and Development Guidelines**

#### **Intensity**

Development will conform to the general level of intensity proposed within the adopted comprehensive plan of record and should be developed in a manner and at a scale that will be compatible with adjacent developed areas.

#### **Amenities**

Amenities should be considered as an important justification for development and city approval of a SPUD. The applicant should be prepared to provide amenities and services that may not be required or possible in a conventional development such as

additional landscaping, usable open space fencing, limiting curb cuts, limits of no access, sidewalks and pedestrian ways where it is necessary to provide for public safety, minimal signage to provide development compatible with adjacent developments and neighborhoods.

### **Land Area**

The land area allowed under a SPUD is not more than five (5) acres.

### **Off-Street Parking, Loading and Access**

All uses should contain adequate parking on private property to provide parking, loading and maneuvering of vehicles in accordance with the regulations established in Section 431.5 – Off-Street Parking Requirements of the Zoning Ordinance.

The applicant may request a parking variance within the SPUD Narrative.

### **Relationship to Abutting Uses**

The Master Development Plan Map should show graphically the treatment, what will be employed to separate the SPUD uses from abutting properties, including commitments to landscaping, screening, earthen berms or similar techniques.

It is appropriate to specifically establish areas with height limitations where a transition to more intense uses is proposed or where a higher intensity development is proposed to abut a lower intensive area.

The applicant may request a variance to the landscaping requirements established in Section 431.8 – Landscaping Requirements for Off-Street Parking Facilities.

### **Common Access**

In office, commercial or industrial developments, the SPUD Development Plan should establish specific standards and locations for common access driveways both within the development and abutting arterial streets.

### **Administrative Approval of Minor Amendments**

The Director shall be permitted to approve minor amendments and adjustments to the SPUD Narrative or Master Development Plan Map, provided the following conditions are satisfied:

- (1) The project boundaries are not altered.
- (2) Uses other than those specifically approved in the SPUD are not added. Percentage of area devoted to specific uses may not be increased or decreased by more than 20 percent of the area devoted to the specific use.

Uses may be deleted, but not to the extent that the character of the project is substantially altered.

- (3)The allocation of land to particular uses, or the relationship of uses within the project, is not substantially altered.
- (4)The density of housing is not increased by more than 20 percent or decreased by more than 30 percent.
- (5)The land area allocated to non-residential uses is not increased or decreased by more than 20 percent.
- (6)Floor area, if prescribed, is not increased or decreased by more than 20 percent.
- (7)Floor area ratios, if prescribed, are not increased.
- (8)Open space areas or ratios, if prescribed, are not decreased.
- (9)Screening and fencing requirements, provided amendments shall not substantially alter the SPUD.
- (10)Height restrictions, yard requirements, lot coverage restrictions, and other area, height and bulk requirements prescribed in the SPUD are not altered by more than 20 percent.
- (11)The circulation system is not substantially altered in design, configuration or location, and has the approval of the Traffic Management Division.
- (12)The design and location of access points to the project are not substantially altered, either in design or capacity and have the approval of the Traffic Management Division.

The Director shall determine if proposed amendments to an approved SPUD satisfy the above criteria. If the Director finds that these criteria are not satisfied, an amended SPUD shall be submitted for full review and approval by Planning Commission and City Council.



## EXHIBIT AA

### SEC. 420 - PLANNED UNIT DEVELOPMENTS

(Ord. No. O-9091-40 – July 23, 1991)

1. Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas in compliance with the comprehensive plan of record, in achieving the goals of the NORMAN 2025 Land Use and Transportation Plan of the City of Norman, Oklahoma. The "PUD" Planned Unit Development district herein established is intended to provide for greater flexibility in the design of buildings, yards, courts, circulation, and open space than would otherwise be possible through the strict application of other district regulations. In this way, applicants may be awarded certain premiums in return for assurances of overall planning and design quality, or which will be of exceptional community benefit and which are not now required by other regulations. By permitting and encouraging the use of such procedures, the Planning Commission and City Council will be able to make more informed land use decisions and thereby guide development more effectively in the best interest of the health, safety, and welfare of the City.

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### 3. Standards of Development.

- (a) Ownership control. Applicants eligible for preliminary plan review must be the landowners of record, holders of a lease for not less than fifty (50) years, or their authorized agent and beneficiaries of all properties in question. The approved final development plan shall be binding on all subsequent owners of the land until revised or repealed as authorized in this section.
- (b) Minimum District Area. Eligible properties must normally be ~~two (2)~~ **five (5)** acres or larger in size. ~~Slightly smaller parcels may be eligible, provided the applicant can show that the proposed Planned Unit Development can meet the intent and regulations of this article without injury to the public health, safety and welfare.~~

## **EXHIBIT B**

### **SMALL WIND TURBINES (Regulating Backyard Wind Turbines)**

#### **WIND ENERGY CONSERVATION SYSTEMS (WECS)**

Small wind turbines raise many of the same issues as midsize wind energy conversion systems and wind farms. However, with their small size and their use accessory to a residence, they are more readily accepted than their larger counterparts. The objective in planning for and regulating small wind turbines is to assist the individual homeowner in making sure the project makes economic sense from the outset. It is important also to protect the property owner and neighbors from the potential hazards of a tall structure in a residential setting.

#### **INTENT:**

To provide for the development of clean, renewable energy resources while protecting the public health, safety and welfare of the community. The City of Norman finds these regulations are necessary to ensure that small wind turbines are appropriately designed and safely sited and installed. This ordinance establishes the regulations and criteria which allow small wind turbines as compatible accessory uses in residential districts. Unless otherwise provided, all accessory uses are subject to the same regulations as the principal use located on the lot.

#### **DEFINITIONS:**

**Small Wind Turbine:** A wind energy conversion system consisting of a wind turbine, tower, and associated control or conversion electronics, which has a rated capacity of not more than ten kilowatts and is intended to primarily reduce on-site consumption of utility power. A system is considered a residential small wind turbine only if it supplies electrical power solely for on-site use, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

**Tower:** The vertical component of a wind energy conversion system that elevates the wind turbine generator and attached blades above the ground.

#### **REGULATIONS:**

Small wind turbines are a permitted use in the RE, A-1 and A-2 zoning districts subject to the following:

- a. Only one small wind turbine per residential lot.

- b. The maximum rotor diameter for small wind turbines shall be six feet.
- c. The tower height shall be limited to 120 feet.
- e. No tower is permitted that requires any lighting except under federal, state or local law.
- f. There shall be a minimum of thirty feet between the ground and the lowest point of the rotor blade. No blades may extend over parking areas, driveways or sidewalks.
- g. Unauthorized access to the tower shall be prevented by design with a minimum of twelve feet from the ground to the bottom of the ladder. All doors to small wind turbine towers and electrical equipment shall be locked.
- h. No part of the small wind turbine structure, including guy wire anchors, may extend within ten feet of the property boundaries of the installation site.
- i. Small wind turbines shall be set back a distance equal to the total height of the wind turbine from the natural grade of the ground supporting the pad to the tip of the blade in the vertical position measured along the vertical axis of the tower, from existing inhabited structures, overhead utility lines, and public roads or rights-of-way. The setback zone can fall within the limits of the Flood Hazard Overlay District.
- j. All wiring from the tower to the residence shall be underground.
- k. All small wind turbines shall be equipped with manual (electronic or mechanical) and automatic overspeed controls to limit the blade rotation speed to within the design limit of the residential wind energy system.
- l. In all residential districts the maximum decibel level at the property line shall be 50 decibels.

**APPEARANCE:** The small wind turbine and tower shall have a flat finish as applied by the manufacturer. The objective is to have the equipment as inconspicuous as practicable.

**APPLICATION INFORMATION:** All applications shall include the following:

- (a) A site plan showing:
  - 1. Property lines and physical dimensions of the subject property within two times the total height from the tower location;
  - 2. Location, dimensions, and types of existing major structures, impervious surfaces and fencing on the property;
  - 3. Location of the proposed wind system tower, foundations, guy anchors, and associated equipment;
  - 4. The right-of-way of any public road that is contiguous with the property;
  - 5. Any overhead utility lines;

- (b) Small wind turbine system specifications, including manufacturer and model, rotor diameter, tower height, and tower type—freestanding or guyed;
- (c) Tower foundation blueprints or drawings signed by a professional engineer licensed to practice in the state of Oklahoma.
- (d) Tower blueprint or drawing signed by a professional engineer licensed to practice in the state of Oklahoma.

**MAINTENANCE:** The applicant shall maintain the small wind turbine and related equipment in good condition, and shall provide a written report of inspection and maintenance every two years to the building official who will provide a form for the report. The report shall be signed by the original installer of the system or someone of equivalent qualifications.

**INSURANCE:** Prior to the issuance of a building permit for the installation of a small wind turbine, the applicant shall provide the building official with evidence that the homeowner's insurance policy has been endorsed to cover damage or injury that might result from the installation and operation of the small wind turbine system.

**REMOVAL:** If a small wind turbine becomes inoperable and is not put back into service within six months, the applicant shall remove the small wind turbine, tower, and other related equipment.

## EXHIBIT C

### SMALL COMMUNICATION TOWERS

#### INTENT:

The intent of this Section is to allow small communication towers in the rural area of Norman to provide particularly internet service to areas of east Norman that do not have any or adequate service at this time. Norman resident's access to internet services is important since many people now run businesses from home with the use of internet and stream television programming which they could not do in these rural areas without alternative service.

#### DEFINITION:

Small Communication Tower: A tower, possibly guy-wired, no more than 190 feet tall where antennae and communications equipment are placed to serve residential properties with internet service.

The existing Zoning Ordinance language is as follows:

**Section 431.2** – Commercial Communication Towers: As defined herein, Commercial Communication Towers are prohibited within any public right-of-way or residential zoning district. Such uses are allowed by right within the PL and C-1 Districts, (with specific conditions) as well as the C-2, C-3, I-1, I-2, M-1, A-1 or A-2 Districts, subject to the following restrictions.

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While trying to clean up some outstanding issues staff recommends the following to allow future use of internet towers for personal use. Add a new Section (b).

#### REGULATIONS:

- (b) Internet receiver towers are allowed on private property in the RE, A-1 and A-2 Districts as well as C-2, C-3, I-1, I-2, and M-1 Districts with the following conditions:
- (1) Towers shall be no taller than 190 feet.
  - (2) Towers shall be set back from the property line a distance that protects adjacent property owners and/or habitable structures from damage if the tower collapses. Area of fall cannot be located on adjacent property not owned by the applicant or the public right-of way. A certified engineer's report is required to verify adequate area of fall and guy wire installation.
  - (3) All towers shall observe a minimum setback from any abutting street right-of-way equal to the height of the tower.
  - (4) Compliance with all requirements of the Building Code, including an Engineer's

structural certification of the tower structure, must be demonstrated before a construction permit can be issued.

- (5) To minimize visual impacts that can result from the presence of such facilities, towers are limited to single sphere construction.
- (6) No lights, signals, or illumination shall be permitted on any tower unless required by the Federal Communication Commission (FCC), Federal Aviation Administration (FAA), or City agency. No commercial advertising, signage, or flags shall be allowed on any tower. Towers and accessory facilities should be colored or painted in muted tones that minimize their visibility, unless otherwise required by the FCC or FAA.
- (7) As defined herein, Internet Receiver Towers are prohibited within any public right-of-way.

**REMOVAL:** If a small communication tower becomes inoperable and is not put back into service within six months, the applicant shall remove the small communication tower and other related equipment.